

The Honorable Benjamin H. Settle

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA**

JOHN DOE #1, an individual, JOHN
DOE #2, an individual, and PROTECT
MARRIAGE WASHINGTON,

Plaintiffs,

v.

SAM REED, in his official capacity as
Secretary of State of State of Washington,
BRENDA GALARZA, in her official
capacity as Public Records Officer for the
Secretary of State of Washington,

Defendants.

NO. 09-cv-05465-BHS

DESIGNATED DEPOSITION
TESTIMONY OF PASTOR

Redacted

Pursuant to Local Rule 32(e), Defendants Sam Reed and Brenda Galarza, Intervenors Washington Families Standing Together and the Washington Coalition for Open Government and Plaintiffs John Doe #1, John Doe #2, and Protect Marriage Washington (collectively, the “Parties”) hereby submit combined designated deposition testimony for PASTOR

Redacted .

Defendants and Intervenors object to the admission of any deposition testimony taken of any witnesses who could be called to testify at trial. Therefore, the designations of

1 Defendants and Intervenor are being submitted in the event that the Court decides to admit
2 deposition testimony.

3 For the Court's convenience Defendants' designations have been highlighted in blue,
4 Intervenor's designations have been highlighted in pink, and Plaintiffs' designations have
5 been highlighted in yellow. Objections have been noted in the margins. Plaintiffs will be
6 filing the redacted versions of these documents.

7 DATED this 6th day of September, 2011.

8 ROBERT M. MCKENNA
9 Attorney General

10 s/ William Clark
11 WILLIAM CLARK, WSBA #9234
12 Senior Counsel
13 800 Fifth Ave, Ste 2000
14 Seattle, WA 98104
15 206-464-7352
16 BillC2@atg.wa.gov
17 ANNE EGELER, WSBA #20258
18 Deputy Solicitor General
19 PO Box 40100
20 Olympia, WA 98504-0100
21 360-664-3027
22 Anneel@atg.wa.gov
23
24
25
26

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

JOHN DOE #1, an individual; JOHN
DOE #2, an individual; and PROTECT
MARRIAGE WASHINGTON,

Plaintiffs,

v.

SAM REED, in his official capacity
as Secretary of State of Washington;
BRENDA GALARZA, in her official
capacity as Public Records Officer
for the Secretary of State of
Washington,

Defendants.

No. 09-CV-05456-BHS

Deposition Upon Oral Examination
Of

PASTOR [REDACTED]

Taken by: Tracey L. Juran, CCR
CCR No. 2699

September 23, 2010

Seattle, Washington

Tracey Juran, Certified Court Reporter

APPEARANCES

For Protect Marriage Washington:

Stephen Pidgeon, Attorney at Law
3002 Colby Avenue, Suite 306
Everett, Washington 98201-4081

For the Defendants:

Anne E. Egeler, Deputy Solicitor General
Attorney General of Washington
1125 Washington Street SE
P.O. Box 40100
Olympia, Washington 98504-0100

For Washington Coalition for Open Government:

Steven J. Dixon, Attorney at Law (by telephone)
Witherspoon Kelley
422 West Riverside Avenue, Suite 1100
Spokane, Washington 99201-0300

For Washington Families Standing Together:

Ryan McBrayer, Attorney at Law
Perkins Coie
1201 Third Avenue, Suite 4800
Seattle, Washington 98101-3099

INDEX

Page No.

EXAMINATION

By Ms. Egeler	4
By Mr. McBrayer	76
By Mr. Pidgeon	91
By Ms. Egeler	113

EXHIBITS MARKED

No. 1 (3-page printout of an article from the [Redacted])	14
--	----

No. 2 (4-page photocopy of an article from [Redacted])	30
---	----

No. 3 (3-page printout from the Protect Marriage Washington Web site labeled [Redacted])	60
--	----

1 Be it remembered that the deposition upon oral
2 examination of Pastor [Redacted] was taken on
3 September 23, 2010, at the hour of 12:36 p.m. at 800
4 Fifth Avenue, Suite 2000, Seattle, Washington, before
5 Tracey L. Juran, CCR, Notary Public in and for the State
6 of Washington residing at Edmonds, Washington.

7 Whereupon the following proceedings were had,
8 to wit:

9 * * * * *

10 PASTOR [Redacted], having been first duly sworn on
11 oath by the Notary Public to
12 tell the truth, the whole
13 truth, and nothing but the
14 truth, was deposed and
15 testified as follows:

16 EXAMINATION

17 BY MS. EGELER:

18 Q. Pastor [Redacted], as I stated to you before we went on
19 the record, my name's Anne Egeler and I represent the
20 Attorney General -- excuse me. I'm with the Attorney
21 General's Office and I'm representing Secretary of State
22 Sam Reed --

23 A. Mm-hm.

24 Q. -- the defendants in the case.

25 And I wanted to start by asking, have you ever been
deposed before?

A. No, I don't think so. I think this first time. I'm

1 really surprised with the life I live.

2 Q. Well, I'll give you a few basic rules. Everything we
3 say is being taken down today by our court --

4 A. Mm-hm.

5 Q. -- reporter, so it's really important for us to make her
6 life easy --

7 A. Yeah.

8 Q. -- so that we get an accurate record. And the way that
9 we can do that is by waiting for each other to finish
10 speaking --

11 A. Mm-hm.

12 Q. -- before the next person starts to speak. And whenever
13 you want to indicate a yes or a no, if you could
14 please --

15 A. Mm-hm.

16 Q. -- do that verbally, because head nods and mm-hms don't
17 show up on the record.

18 A. Right.

19 Q. And it's also important that we understand each other.
20 So if I ask anything that's just not clear or doesn't
21 make sense, please stop me and ask me to rephrase that.

22 A. Okay, I will. I have no problem with that.

23 Q. And is there any reason you wouldn't be able to testify
24 fully today?

25 A. No. I'm glad I could be here.

1 Q. Well, let's get started, then.

2 Would you please state your current employment.

3 A. Yes. I'm senior pastor at Redacted in
4 Redacted, Washington.

5 Q. And how long have you held that position?

6 A. I'm going on -- October'll be 26 years.

7 Q. Wow, okay.

8 And have you been told that you were named as a
9 witness in the Doe v. Reed case?

10 A. Yes.

11 Q. Did you know that that may require you to publicly
12 testify in a federal court?

13 A. That's why I agreed to do it, yes.

14 Q. And were you asked if you had any concerns or -- about
15 publicly testifying?

16 A. No, I don't have any. I'm in the public's eye all the
17 time.

18 Q. And when did you first learn that you were going to be a
19 witness in this case?

20 A. Wow, I think back now when we (indicating) talked on the
21 phone, I think. It's been a couple months. Yeah, about
22 60 days or so, two months.

23 Q. And who told you that?

24 A. My lawyer friend here (indicating).

25 Q. So Mr. Pidgeon in the room here.

1 A. Mr. Pidgeon, yes.

2 Q. Did you talk to Mr. Pidgeon about your deposition today?

3 A. Well, we really didn't talk about the deposition. We
4 just talked about would I be willing to come down as a
5 witness about what has taken place in my life with the
6 whole situation with the homosexual community.

7 Q. Let's talk about that.

8 My understanding is that the issue of the
9 homosexual lifestyle is a bigger issue for you than just
10 Referendum 71; is that right?

11 A. Absolutely.

12 Q. Can you explain sort of over time your involvement in
13 that issue.

14 A. I look back now probably some 20 years of dealing with
15 the whole issue, not only just with the homosexuality
16 issue, but with any aspect of lifestyle that isn't
17 healthy Biblically. Homosexuality is one issue. And it
18 magnified when we started having a great deal of
19 problems in Olympia, and I was called to get involved
20 because they knew who I was and because of the stands I
21 have taken against other issues of sin that the Bible
22 was against.

23 And I had heard -- got a call from one of the
24 pastors in the area and said, did you hear that there's
25 some representatives that is going down to Olympia? And

State Objects: The witness's testimony is irrelevant, unrelated to R-71.

1 I think that issue then -- it's been so many years back.
2 The issue then was working on minority status, making
3 the homosexual community a minority status. And so
4 that's how I really got involved with the legislative
5 aspect of it and down in Olympia.

6 And when we got there, there was a -- there was
7 several representatives from [Redacted] that was trying
8 to get the law passed, and that's how I got involved
9 even with the fight with [Redacted].

10 Q. Let's talk about that fight with [Redacted]. Can you
11 describe that for me.

12 A. In words? In words, probably a little bit more
13 difficult than in emotion.

14 What happened was that we had so many people in our
15 church that work for [Redacted], and I knew [Redacted]
16 policies for years towards the homosexual community.)
17 Fine with us. It was their right, it was their
18 business, and that any way they wanted to treat their
19 workers was their choice. Well, when we got down to
20 Olympia, all of a sudden their decision on how they was
21 treating the homosexuals in their business became how
22 they wanted the State to treat homosexuals, and they was
23 there giving testimony why this law should be passed.

24 And that's when I said, I think we're overstepping.
25 Long as you wanna keep that issue inside your four

State Objects: The witness's testimony is irrelevant, unrelated to R-71.

1 walls, it's fine with me. When you try to push your
2 decision and your laws on me as a pastor and as a
3 Christian, I got problems with it, especially when you
4 step in the state. And so that's when I met with
5 [Redacted]. And we had several meetings and I got them
6 to back off and take a neutral position in that fight
7 that year.

8 Q. So do you have an opinion about whether corporations
9 should be able to lobby the government for different
10 laws being passed or not passed?

11 A. I think corporation can lobby the government for
12 anything they want if they're willing to defend it and
13 be challenged on it.

14 Q. So --

15 A. Because they have the right to do that. I have the
16 right to challenge that.

17 Q. So you weren't objecting to [Redacted] lobbying on the
18 issue.

19 A. Never. I never asked them to fire their
20 representatives, I never asked them to change their
21 policies inside their four walls. The issue was, when
22 you start pushing issues that's Biblically where I stand
23 as a pastor on me, you know, pass laws that I have to
24 submit to when the Bible says I shouldn't, then we have
25 a problem.

State Objects: The witness's testimony is irrelevant, unrelated to R-71.

1 Q. And that bill that you were referring to being an issue,
2 do you remember what that --

3 A. Oh, my goodness.

4 Q. -- bill was?

5 A. I could not say, it has been so long ago. But it was in
6 every major newspaper all over the world, so it won't be
7 hard to find out.

8 Q. And were you in newspapers connected with that issue?

9 A. Everywhere.

10 Q. Did you form a group to address your concerns with
11 Microsoft?

12 A. What we did was, we did a [Redacted] in 2000 --
13 oh, my goodness. Man, that's tough now, been so long.
14 We did -- in the [Redacted], we did a rally of just
15 the aspect of protecting marriage. And that was my --
16 that was the outfit and the organization that I used,
17 [Redacted]. And that following year -- I think
18 it was 2000 -- it was right before the 2004 election. I
19 think that was Bush's second go-round; isn't that right?

20 MR. PIDGEON: Mm-hm.

21 A. It was right before the 2004 election, we ended up going
22 to Washington, D.C., with that same type of rally for
23 protecting marriage.

24 Q. (by Ms. Egeler) And the [Redacted], do you
25 remember where that event was held?

State Objects: The witness's testimony is irrelevant, unrelated to R-71.

1 A. [Redacted] .

2 Q. And --

3 A. And the one in D.C. was on the Mall.

4 Q. And the [Redacted] event, did you speak at
5 that?

6 A. I did, mm-hm.

7 Q. Do you recall how many people, roughly, were in
8 attendance?

9 A. Well, we had 30 days to put it together here at Safeco,
10 and I kinda figured if we can get the stadium, we'd be
11 able to do it. I think we had around 20, 25,000 people
12 there. And the one in D.C., we had like three months
13 more or so to get that done, and I think we had over
14 200,000 there.

15 Q. And when you spoke at [Redacted], do you
16 remember what you said? And I'm sure you don't remember
17 word for word, but --

18 A. All the --

19 Q. -- basically.

20 A. -- speakers had one major theme and that was protection
21 of marriage between a man and a woman, mm-hm.

22 Q. In addition to protecting marriage between a man and a
23 woman, did you speak about not permitting marriage
24 between two people of the same sex?

25 A. I don't think that that really came up very much at all

1 because that was not the purpose of the rally. If some
2 of the speakers said it or if it came out, it was in
3 conjunction with saying, okay, what marriage is is what
4 we are as believers and Christians, mm-hm.

5 Q. What threat to traditional marriage was the **Redacted** event
6 addressing?

7 A. Well, we just feel that the best avenue of a family is a
8 man, a woman and that that double representation in that
9 marriage for children was the better way that life, we
10 believe Biblically, was to be taught.

11 And that's where we stood. I mean, every one of
12 us, from -- I invited Dr. Dobson, James Dobson, who
13 came. The head of Family Research Council, Tony
14 Perkins, I invited him; he came. Just about everyone
15 that I invited came for this particular issue of not
16 being pushed to accept which Biblically we believe is
17 wrong and it was what we consider as a sin. And that is
18 our main purpose we're dealing with. It would be just
19 like anything else that we're against in the Bible.

20 And what most people want to say, especially
21 towards me, is that I got this agenda towards
22 homosexuals. No, one sin is just like another sin as
23 far as I'm concerned. And the reason why I think that
24 we've gotten so much publicity on this is because of our
25 harsh stand on not compromising marriage between a man

1 and a woman.

2 Q. And when you say that this is Biblically a sin, did you
3 say that to the group at --

4 A. Say it every time I get an opportunity to speak about
5 it.

6 Q. And specifically, that marriage that is between anyone
7 besides a man and a woman is what you're referring to as
8 the sin; correct?

9 A. Right.

10 Q. So in other words, same-sex marriage.

11 A. Right.

12 Q. And would you have made the same statement in
13 Washington, D.C.?

14 A. Same. It's just much bigger and more people.

15 Q. And then the differences with [Redacted], did it lead you
16 to start an effort to purchase [Redacted] stock?

17 A. Yes, I did. And the whole aspect of -- I think that
18 most of our corporations are controlled and ran by
19 stockholders, and I thought, you know, one of the best
20 ways to do it is just get people involved with buying
21 stock. Then we can influence what is going on in that
22 corporation and in that business. It's absolutely legal
23 to do. And that's what I started, and it was quite a
24 ride. It was a lot of fun.

25 Q. And did you get a lot of press coverage of that?

1 A. Oh, my goodness, yes. It was quite a bit.

2 Q. And I'm going to just make one exhibit here of the many
3 press articles. And I know you've brought some of those
4 with you today in actual newspaper form, but this one's
5 printed out, so it might be easier to attach to the
6 deposition.

7 MR. PIDGEON: No objection.

8 [Off the record - discussion]

9 [Exhibit 1 marked for identification]

10 Q. (by Ms. Egeler) Pastor, are you familiar with this
11 article?

12 A. Oh, yeah.

13 Q. And just for the record, I'll note that this is from the
14 Redacted Web site --

15 A. Mm-hm.

16 Q. -- noted on the bottom of the document and it's dated
17 Tuesday, January 8, 2008.

18 A. Mm-hm.

19 Q. The first paragraph, Pastor, states that, "R

[REDACTED] d

[REDACTED] c

[REDACTED] t

[REDACTED] d

[REDACTED] " --

25 A. Mm-hm.

1 Q. -- period, end quote. Does that quoted material come
2 from you, do you think?

3 A. I don't know where that came from. I don't -- they
4 probably got it from some of my engagement or my
5 speeches, but I don't remember directly making it to
6 [Redacted].

7 Q. Would you agree that [Redacted] was financing ungodly
8 ventures?

9 A. Yes. That's what -- the whole fight that we started
10 from in the aspect down in Olympia.

11 Q. And starting -- let's back up and start with the [Redacted]
12 [Redacted]. Did you get any negative reaction from
13 people?

14 A. Oh, my goodness. The day of, even, was an absolutely
15 amazing time. And what we're saying is, look, we're not
16 down here to attack homosexuals, we're not here to put
17 homosexuals down. And you can look at -- I mean, there
18 are thousands upon thousands of articles about me and my
19 life and where I stood, but you cannot find any articles
20 at all that would be outside of the Biblical aspect of
21 what I believe. I have never put down homosexuals, I do
22 not think they are second-class citizens, or anything
23 else.

24 But the truth is, I'm a pastor. I believe in the
25 Bible. I stand on the Bible regardless of whether it's

1 popular or not. And that is one of the issues that we
2 have taken, because when those ungodly issues are pushed
3 as normal, is pushed as one to force Christians to have
4 to accept, then I'm a big fighter on that, regardless of
5 what the issue is.

6 Q. So would it be fair to say that you've been quoted in
7 the past or have said that homosexuality -- the act, not
8 the individuals -- that the act is ungodly?

9 A. Yes. Oh, most definitely.

10 Q. And would it be correct to say that you have publicly
11 stated that homosexuality -- again, not the individuals,
12 but the act -- is a sin?

13 A. Yes.

14 Q. And have you publicly stated that it is your belief that
15 homosexual families, where two partners are parenting
16 children, is contrary to Biblical teachings?

17 A. And common sense, okay? Maybe I can help you understand
18 it a little bit better. If two people walked into
19 adoption process, unmarried, a man and a woman, and
20 wanted to adopt a child, the adoption agency will say,
21 no, it's not a stable home. That's a man and a woman
22 that's unmarried trying to adopt. But at the same time,
23 well, couples -- two women or two men that's not married
24 will walk in and they will make exceptions for them to
25 adopt.

1 Now, as far as I'm concerned, where's the common
2 sense in protecting that child in a very strong home
3 that's gonna give them commitment, that's gonna give
4 them the role models of a man and a woman, and to make
5 sure that if we're gonna say no to a single -- two
6 single people trying to adopt that's not married, what
7 makes two men that's not married or two women that's not
8 married the difference?

9 Q. Have you publicly spoken about the possibility of --
10 let's take two men who are married under one of the
11 state laws that does permit homosexual couples to marry.
12 Have you taken a public stance about that?

13 A. Yes, because it has been very -- it has been a very
14 negative thing that happened to Christian organizations.
15 If -- I don't know if you understood or understand what
16 took place in Massachusetts. They shut down an adoption
17 agency, Catholic adoption agency, because they would
18 not -- according to their freedom and freedom of
19 religion, would not adopt to homosexuals.

20 Now, I think that's just as discriminatory, to shut
21 down a business when they have the freedom -- in our
22 Constitution, the freedom of religion. But they say,
23 you cannot have that right, and I would like to know
24 why.

25 Q. Is it your position that businesses should have the

1 right to adopt to two men who are married?

2 A. No, because I don't think that that Biblically is a
3 marriage, you know. There are certain things that we
4 have to agree on in this deposition room. And what we
5 have to agree on in this room is, I don't have any
6 personal opinions. When I gave my life to Christ, my
7 personal opinion took a second seat.

8 I'm not like many other hypocrites that call
9 themselves Christians and then decide what they wanna
10 believe the Bible says or don't. I am one that's
11 totally committed to all 66 books of the Bible, every
12 chapter in the Bible -- over 1,100 chapters in the
13 Bible, and when God says something, that's where I stand
14 whether I like it or not. God didn't ask my opinion.

15 Q. I understand.

16 I'm just trying to get out what you've said
17 publicly so that --

18 A. Mm-hm.

19 Q. -- your public words can be known in the -- in our
20 transcript here --

21 A. Oh, yeah. I mean --

22 Q. -- today and fairly represented.

23 A. -- there is no reason to think that my words and my
24 actions are not known. You go to Wikipedia. I am
25 everywhere. Go to Google. I think -- I mean, I think

1 the last time I typed my name in, there was almost
2 300,000 hits. So it isn't -- nothing private about how
3 I feel, how I say, and where I stand. And there is not
4 one statement that anyone can ever find in all those
5 postings where I am derogatory and attacking and feeling
6 and putting down homosexuals.

7 Q. I understand.

8 So looking again at [Redacted], was the effort to
9 buy the stock of the company, then?

10 A. Yeah. It's just like -- just go in and buy stock and
11 influence what is going on in that business. One of the
12 reasons why we did that was because -- I think it was
13 when -- there was something going on in California. I
14 don't think it was Proposition 8, I think it was another
15 issue that was hitting. And I came to the stockholders'
16 meeting at [Redacted] to ask them why were they
17 supporting discriminatory and racial practices.

18 Q. And what discriminatory and racial -- and racist
19 practices specifically?

20 A. Specifically, if you remember some of the rallies that
21 was going on in California -- I think it's about three,
22 four years ago at the most -- there was homosexuals that
23 was attacking people with the Bible at rallies, took a
24 Bible from a little old lady, called black people stupid
25 for voting for the passage of that bill. It may have

1 been Proposition 8; I'm not sure.

2 And I asked **Redacted** as a company and as a
3 stockholder, if it was -- anyone else had done such
4 blatant discriminatory and racist comments and
5 movements, would this company support 'em? And I said,
6 absolutely not. But you are. You continue to support
7 the homosexual lifestyle and ways even though you know
8 where they stand.

9 And that you call me intolerant, but you never
10 heard me call homosexuals names. But you've heard them
11 call me names. You've heard them call other black
12 people names and how ignorant black people are because
13 of voting for Proposition 8.

14 Q. Did you witness anything in the state of California that
15 you've just described?

16 A. Every day on the news. It was hot, hot news. And so
17 with -- the pastors that have organized Proposition 8,
18 I'm close friends with two of 'em and I knew exactly
19 what was going on. Wasn't just hearsay in the aspect of
20 what was going on in the paper, but what was going on
21 with the pastors and the pastors who got, I mean, just
22 threats to no end that if you are gonna stand on this,
23 then you are gonna be -- I wanna say the right word --
24 you'll be profiled as a hatermonger.

25 Q. And were you involved in an organization of a rally, for

1 lack of a better word, at [Redacted] High School?

2 A. Oh, yes.

3 Q. Can you talk about that for me.

4 A. I'd be more than happy to talk to you about that. My
5 children go and attend [Redacted] High School. And what
6 took place was, when they -- if you wanna attack me,
7 that's fine. I'm a big boy; I can handle it. I can
8 back up my words and know why I do what I do. Well,
9 when my oldest daughter, which is now a senior in
10 college at WSU, was a freshman, they asked me to come
11 and speak at the Martin Luther King Day. They was
12 having tremendous problems up there at the school --
13 thank you very much.

14 THE WITNESS: Anything you wanna look at or say
15 before I continue?

16 MR. PIDGEON: Yeah, one second.

17 No objection to the exhibit.

18 A. So they asked me to come and speak at the Martin Luther
19 King Day. They was having so many problems in the
20 school racially.

21 And now, my kids was -- at that time was just [Redacted]
22 that -- my oldest, and there may have been three, four
23 other, really, minority kids; weren't very many. I
24 think the [Redacted] was there, who had adopted a Korean --
25 two Korean kids; my kids, which was -- I'm amazed at how

1 school does it and education does it. I mean, I'm the
2 blackest man you gonna see and my wife is the whitest
3 woman you could see, yet still our kids are classified
4 as black in the public schools. And probably was about
5 four others in the whole school.

6 And so I wanted to come up and I agreed to speak
7 because of the things that was going on in the school.
8 Racial epithets were being written on the walls, the
9 bathroom. It was just -- it was to the point where it
10 wasn't safe for many of the black kids to be around.

11 So they had that whole school vote on what are the
12 major problems at [Redacted], and then they did a
13 statewide survey of the students. The number-one
14 problem, they said, was racism in the school, number
15 one. And they was thinking about eliminating the Martin
16 Luther King celebration because most of it ended up just
17 being another way of being political, to push an agenda,
18 that wasn't supposed to be an assembly.

19 So when -- [Redacted] come home and said, Dad, they
20 would love for you to come and speak at the school.
21 Would you come? Said, we got a lotta problems. And I
22 go, absolutely. She said, we did this vote, and it came
23 out that there was three main issues and most schools
24 were four. Racism was number one at just about all the
25 schools, and there was nothing mentioned about

1 homosexuality. So that was a good thing for me because
2 I -- you know, I don't wanna spend my life talking about
3 one issue.

4 So I go, I'd be more than happy. So I went up and
5 spoke. Man, it was fabulous. It went off extremely
6 well. They liked it, they got a -- I got a standing
7 ovation from the students, the teachers thanked me. So
8 I thought, oh, man, okay, we making some great progress
9 to get things turned around.

10 Now, outta all those things, they started the Day
11 of Silence the same year, which we didn't know -- what's
12 the Day of Silence? And we didn't know what the Day of
13 Silence was until later on in that year when my wife
14 happened to have an appointment with a teacher after
15 school to talk about my daughter's math issues. Honor-
16 roll student, just doing well, but man, she was just
17 really struggling with this math teacher. So we wanted
18 to go and have a family parent-teacher conference.

19 My wife arrives after school. She comes in with
20 the teacher and starts talking to the teacher. The
21 teacher won't talk back. The teacher is writing answers
22 on the board. My wife asked, what are you doing? We
23 got an appointment here to talk about my daughter. She
24 said, it's the Day of Silence and I am holding to that,
25 so I can't talk to you. So my wife walked up, wrote on

1 the board, we will talk about this later.

2 And she came home and says, do you know what's
3 going on up at the school? I go, no. She says, I went
4 up to talk to the teacher and they was honoring the Day
5 of Silence. Teachers wouldn't teach. They were -- if
6 they committed to honor the Day of Silence, they
7 wouldn't teach. Students didn't have to talk in the
8 classroom. They were having students come in at the
9 front of the school to say, okay, are you for this and
10 you supported this or not? They was handing out arm
11 bands.

12 So all of a sudden I'm thinking, what is gonna --
13 this isn't gonna happen.

14 Q. (by Ms. Egeler) And what was the Day of Silence about?

15 A. It was honoring those students who they say had been
16 bullied as a homosexual student. Now, that -- okay,
17 great, let's deal with bullying. But outta all those
18 issues that the kids voted on, homosexual bullying or
19 homosexual problems wasn't even mentioned. And the GSA
20 that put on the Day of Silence didn't have one
21 homosexual student in their whole program. There was no
22 gay students in the committee. It was heterosexual kids
23 pushed by teachers, which is not right when it's
24 supposed to be student sponsored.

25 Q. Do you actually know that --

1 A. I know that for a fact. And you can call [Redacted] High
2 School and ask for Principal Taylor. You know, he --
3 they can give you all the -- everything I'm saying that
4 I tell you is the truth.

5 And I just had -- just finished with another
6 meeting just to refresh last Monday about the issues of
7 the Day of Silence. And I -- my thing was, okay, if you
8 gonna set a time aside -- we got day of respect. That's
9 for everybody. But then you turn around, you have a
10 special day for homosexual kids where all the kids says,
11 not a problem, but racism is. So you don't have -- if
12 you gonna have a special day, why don't we deal with
13 what the real problem is in this school, which at that
14 time was racism.

15 Q. So what did you do to express your concern with the
16 school's decision?

17 A. We sit down and says, okay, why are we having this day,
18 taking a whole day out to celebrate a lifestyle?

19 Q. And did you bring people to the school to protest?

20 A. That was only after they said, we gonna go ahead and do
21 it anyway, the next year. And so we had -- the
22 following year I asked, are you gonna have this Day of
23 Silence? Well, if you wanna day of -- I said, why not
24 do it the way Christians do it? We come in early,
25 before school, we go out the flagpole, we pray. School

1 is for education, not indoctrination, and they can do it
2 after school. No big deal. We're not saying you can't
3 do it, we're just saying, this is time for education
4 during the day.

5 Well, you can have a special day, if you want, for
6 Christians. That is defeating why I'm here. If I did
7 that, I'm hypocrite. I'm saying, if we got a day of
8 respect, why not put everything on the one day?

9 Q. So did you have a rally organized in 2008 --

10 A. Yes, we did. And over half the parents kept their kids
11 out of school that day.

12 Q. And did you bring people from the church with you?

13 A. Church, the community, because I live in the community.
14 We had people, I mean, come from all over to come and
15 stand with us --

16 Q. How many people --

17 A. -- at that rally.

18 Q. -- do you think?

19 A. Oh, my goodness. I don't -- please, I really don't
20 know, but probably five or six hundred. I don't know.
21 So yeah, something like that.

22 Q. And were there any people there that were taking the
23 opposite position and supporting --

24 A. Did you see --

25 Q. -- the day?

1 A. -- some of the paperwork that they put in up there? I
2 mean, we had homosexuals and homosexual activists that
3 literally tried to start fights with me. And I'm always
4 surrounded by people when I'm in public and people gonna
5 know I'm there, because the worst thing I could ever do
6 is to start a problem and hit someone. And that's
7 exactly what they tried to do. There was kids standing
8 next to me with a sign, "Throw Rocks Here." You know,
9 there's not a lotta love and a lotta tolerance in that
10 sign.

11 And we had to call the police, which was there,
12 that they were supposed to keep us separated at this
13 rally. That was the whole issue that we were supposed
14 to do, and they didn't. When I first walked up, I had
15 all these homosexual kids and homosexual activists come
16 to me, and here I am surrounded, with four or five guys
17 around me trying to protect me from all of them.

18 Q. And so the police did respond when you called?

19 A. Well, they was there. They were standing there looking.
20 And I said, hey, don't you guys think you better move up
21 here? Don't you think you better move -- we supposed to
22 have separate places for the crowd, those that are
23 standing against the Day of Silence and those that are
24 for it, and you're not doing your job.

25 Q. And did they --

State Objects: The witness's testimony is irrelevant, unrelated to R-71.

1 A. And I expect you to do your job. And they finally did
2 move 'em back and put up a barrier, a rope.

3 Q. Between the two groups, the rope?

4 A. Between the two groups.

5 The things that were said, the language that was
6 used -- my wife was attacked with words, abusive, called
7 her a nigger lover, called us homophobes, hateful
8 people. They -- I mean, I can't even say some of the
9 things that they were saying right there with the
10 television and the cameras. But all of a sudden, none
11 of those things was on the news.

12 Q. And were any rocks thrown? You said there was a sign
13 about --

14 A. No. I mean, they -- that's what the sign was saying,
15 and he was standing right next to me with the sign over
16 my head, "Throw Rocks Here."

17 Q. Was anything thrown?

18 A. Oh, no. I mean, that wouldn't have happened.

19 Q. By either group. No -- neither group threw things.

20 A. No, mm-mm.

21 Q. Did either group sink to the level of physical violence?

22 A. No. Oh, no. I mean, it definitely wouldn't come from
23 our side. And everybody knows I'm not a pacifist.

24 Q. But you didn't react with --

25 A. No.

State Objects: The witness's testimony is
irrelevant, unrelated to R-71.

1 Q. -- violence.

2 A. No.

3 Q. And the other side didn't do anything violent either.

4 A. Well, until we got 'em away from us. I mean, coming up
5 in my face like this (indicating), what would you
6 consider that? Would you consider getting in my space?

7 Q. So how close were people standing to you?

8 A. I wish we had that picture. I know I got that picture
9 somewhere of the guys -- may look at the envelope
10 where -- I tried to bring a picture. He's standing
11 right over -- right next to me. I mean, he is here
12 (indicating).

13 Q. And let the record reflect that I'm guessing that the
14 pastor's about three inches away. Is that about right,
15 Pastor?

16 A. He's probably about four or five inches away from me.

17 I wish I had -- it may be in that big yellow
18 folder. Rachel said she got a picture of the guy
19 standing right next to me with the -- there it is.
20 Here's one of 'em (indicating). This is when he's
21 walking up to me with the sign, and then he comes right
22 up right next to me on my side and was holding the sign
23 up, "Throw Rocks Here."

24 Q. Now, I'm looking at the picture. And do you want to
25 take a look and tell me how far away you think he was?

State Objects: The witness's testimony is irrelevant, unrelated to R-71.

1 A. No, right there, he is not as close as he got. Because
2 all of a sudden, the guy that's with me, the bodyguard,
3 is trying to keep him from doing that. And that's when
4 they started really getting closer and closer to me, and
5 that's when we had to call the policeman and say, look,
6 you need to get those guys away from us or there's gonna
7 be some problems here and we're not gonna start it.

8 MR. MCBRAYER: Are you going to mark that, since
9 you're talking about it?

10 MS. EGELER: Can we be off the record for a second.

11 [Off the record - discussion]

12 [Exhibit 2 marked for identification]

13 Q. (by Ms. Egeler) So when we went off the record, we
14 discussed how to use the newspaper that
15 Pastor [Redacted] brought today. It is a copy of The
16 [Redacted], section R, from [Redacted]. And we
17 agreed that this article, which is on the front of that
18 section and then continues on to the next page, that our
19 court reporter will make a copy of that, including all
20 of the pictures that show the information that the
21 pastor was referring to -- well, all of the pictures,
22 including those we haven't discussed --

23 A. Mm-hm.

24 Q. -- yet.

25 Pastor, I notice in the picture on the front of our

State Objects: Irrelevant,
unrelated to R-71.

State Objects to Dep. Ex. 2; Plaintiffs' Trial
Exhibit 51; hearsay; irrelevant. unrel to R-71.

1 Exhibit 2, so the front page of [REDACTED] Redacted
2 [REDACTED] that day, that you have a printed T-shirt on that
3 looks like it was a special shirt --
4 A. Mm-hm.
5 Q. -- for the rally. Can you tell me about what that shirt
6 said.
7 A. Yes. It's about education, not indoctrination.
8 Q. And what --
9 A. GLSEN is trying to indoctrinate. We say that school
10 time is for education.
11 Q. So what did the shirt say?
12 A. Let me get my glasses so I can say specifically.
13 Q. Part of it's hidden and --
14 A. Yeah.
15 Q. -- I just wanted to get that accurately reflected.
16 A. I think this one is -- says, "GLSEN Manipulation Day."
17 Q. And the picture shows you standing with a --
18 A. Microphone.
19 Q. -- a bullhorn --
20 A. Right.
21 Q. -- is that correct?
22 A. Mm-hm.
23 Q. And did you use that to speak to the large crowd that
24 had --
25 A. Yes.

1 Q. -- gathered?

2 A. Mm-hm.

3 Q. And do you remember what you told them?

4 A. It's just a fact that we're here today to take what we
5 believe is the truth Biblically, and that is that
6 marriage is between a man and a woman. And now that
7 GLSEN has gotten the Day of Silence in our schools, that
8 they are trying to indoctrinate and manipulate our kids
9 into saying something that we believe isn't right,
10 should be corrected, should be accepted, and should be
11 considered safe.

12 Q. And did you have any threats or harassment made to you
13 or the church after the rally?

14 A. All the way to the car.

15 Q. And what were those threats or harassment?

16 A. Yelling, screaming, calling me homophobe, hate -- you
17 know, hate filled, why don't I just accept gays as gays
18 are. I mean, any -- you can name it, they were
19 saying -- most of the signs that they had up there, they
20 were -- and we had to get the police to come down. I
21 mean, it got to the point where they was trying to block
22 me to get to the car so badly that we had to get
23 officers down there so I could make it to the car so we
24 could just leave.

25 Q. And did the officers help you to the car?

State Objects: Hearsay; and the testimony is irrelevant even if not offered for the truth of the matter, unrelated to R-71.

1 A. Oh, yeah.

2 Q. Were you pleased with the police --

3 A. No, I wasn't.

4 Q. -- officers?

5 And why not?

6 A. Because they didn't do their job. First thing is, if
7 you look in this picture that's on the front of here
8 (indicating), they were supposed to be that far away the
9 whole day. Now, just so -- the picture that showed you
10 the signs, where that kid was standing, if he didn't get
11 any closer to me, they didn't do their job by allowing
12 him to get that close.

13 I mean, my life -- whenever one of these things --
14 my life is in danger. I've gotten more threats than Van
15 Camp's has pork and beans. And I'm gonna sit there at a
16 rally and people have threatened me, say I should be
17 dead, I should be killed, I shouldn't even be last --
18 left alive for the next month or two, much less
19 anything -- and they let them get that close to me.
20 Someone could have shot me, someone could have cut me.
21 I mean, there are a lot of things that could have taken
22 place when they knew my life had been threatened.

23 Q. Let's talk about that.

24 So this individual that's pictured with the "Throw
25 Rocks Here" sign at one point was much closer to you.

State Objects: The witness's testimony is irrelevant, unrelated to R-71.

1 A. Many. Not just him. Many was close.

2 Q. And I understood you to say that you asked the police to
3 respond --

4 A. I said, sir --

5 Q. -- and separate.

6 A. -- are you looking at what's going on here?

7 Q. And --

8 A. You are supposed to be keeping us separate and you're
9 not doing your job, when we come to find out later that
10 they had police officers and other members of law
11 enforcement up at the fireplace waiting for something to
12 break out. They didn't even have all the officers there
13 on the premises where they were supposed to be. I mean,
14 how -- if you're gonna have a rally and you gotta be
15 separated, how can you have that many people be set free
16 to come that close to me?

17 Q. If you could just listen to the question I'm asking you
18 and focus on that question.

19 I wanted to ask you, when you felt the people were
20 too close to you and you asked the officer to take
21 action, did the officer refuse to do so?

22 A. He said I had to wait -- he called his superior officer.
23 When the superior officer got there, then they moved the
24 people back.

25 Q. How long before the superior officer got there?

State Objects: The witness's testimony is irrelevant, unrelated to R-71.

1 A. I don't know. Probably about five minutes.

2 Q. So about a five-minute response time.

3 A. Mm-hm.

4 Q. And when -- five minutes later, the police separated the
5 groups; is that --

6 A. Mm-hm.

7 Q. -- correct?

8 And how far apart did the police then keep the
9 groups?

10 A. It look like it's about 15, 20 yards, yeah.

11 Q. And do you think that, because they separated the
12 groups, that that prevented any sort of violence
13 occurring?

14 A. I know it did.

15 Q. So do you think that the police were instrumental in
16 helping to prevent violence?

17 A. Oh, I mean, if there was no police there, it would
18 have -- I think would have broken out into some type of
19 violence.

20 Q. That's a very strong statement, to state that the police
21 aren't doing their jobs. So --

22 A. Yeah, it sure is.

23 Q. -- do you believe --

24 A. And I --

25 MR. PIDGEON: I object to that --

1 MS. EGELER: Excuse me --

2 MR. PIDGEON: -- statement and as to the form of
3 the question.

4 Q. (by Ms. Egeler) After you asked them to split up the
5 group and they did so, did you continue to feel that the
6 police were not doing their job?

7 A. After they -- the head superior officer got there, they
8 did a great job moving everyone back. It was -- we had
9 some 45 minutes before that separation took place. It
10 started from the moment I got out the car and I started
11 walking towards the school. They saw me coming and then
12 here comes the whole crowd that was representing the
13 homosexual group and activists. They met me and walked
14 up to me long before we even got to the place. And
15 that's how it all started. As we moved toward, more and
16 more came and got around me and surrounded me.

17 Q. They surrounded you and told you that they disagreed
18 with you; is that correct?

19 A. That'd be a good statement to make, yes.

20 Q. But they didn't surround you and physically abuse you.

21 A. Oh, no, no. I think, with all the guys that I have,
22 that that was not gonna take place.

23 Q. Well, there were guys surrounding you and protecting
24 you.

25 A. Right.

1 Q. Were they protecting the members of your church as well?

2 A. No one was being paid attention to except me.

3 Everything was focused on me.

4 Q. So the other members of your church were not threatened.

5 A. Not the way I was, no.

6 Q. Not the way you were or they weren't threatened?

7 A. Oh, I mean, there was conversations going on the whole
8 time between the crowd and those that was against us
9 being there.

10 Q. I understand there were conversations and, would it be
11 fair to say, angry words as well?

12 A. Oh, yeah, mm-hm.

13 Q. But was there physical violence occurring?

14 A. There was no physical violence, none for -- with anyone
15 on either side.

16 Q. And after you asked the police to separate the groups,
17 my understanding is that the police --

18 A. Called his superior, superior arrived, and they moved
19 the crowd back.

20 Q. And they kept things under control all the way through
21 the time that you actually got into your automobile and
22 left.

23 A. Until we got ready to leave.

24 Q. Until?

25 A. When the rally was over, we turned to leave, and then it

1 was kinda like the police say, okay, it's through. And
2 then bam, here come the crowd after me as I'm walking
3 down the street. And that's when we had to get -- when
4 I got to the car, again I'm surrounded and they're
5 saying things and throwing words out, that we had to get
6 one of the officers and call one of the officers to get
7 down there to get these guys backed off me.

8 Q. And when you called one of the officers to get those
9 guys off of you --

10 A. He came.

11 Q. Did he come immediately?

12 A. Well, yeah, because he was kinda behind -- they was
13 walking because they saw what was happening with the
14 crowd when I left. So the officer was kinda walking
15 behind the activist crowd. So when we got to the car
16 and I had to stop, then boom, you know, here I am
17 surrounded again. And I says, you know, Officer, we
18 need to get these guys back so we can go. We wanna just
19 leave. And he did.

20 Q. And was there any vandalizing of your car or any --

21 A. Not at that place.

22 Q. It sounds like there's been vandalizing of your car at
23 other times; is that right?

24 A. Well, worse than that. I think that some of the things
25 that have happened -- and it's always during particular

1 seasons. If I write something, man, does the phone
2 calls come in or does the threats go up.

3 I wrote an article from the Center of Disease
4 Control. I said, these are not my words, this come from
5 the health department. If we're gonna have a school and
6 if we're concerned about the health of our children -- I
7 mean, we're eliminating trans fats because we say it's
8 unhealthy. We eliminated chips on lunch and pop on
9 lunch. We would not have a day to celebrate that which
10 the health department said is unhealthy.

11 And I gave all the details from the Center of
12 Disease Control about the lifestyle of a homosexual and
13 the danger of the lifestyle of a homosexual, bam, bam,
14 bam, bam, bam. These not my words, these are from the
15 health department. Now, if we're gonna get rid of that
16 which we say is unhealthy all the way down to trans
17 fats, sugar, and chips, why are we having a day to
18 celebrate and protect a lifestyle that has proven to be
19 unhealthy?

20 Q. I understand your position, but I'm wondering if you can
21 tell me about any time that your car's been vandalized.

22 A. Oh, you wanna go -- you want those type of things.
23 Okay, yeah.

24 Q. I do.

25 A. Okay, the first thing happened after the rallies. And

1 we was -- I was doing some articles because of all the
2 publicity that was happening with us --

3 Q. Which rallies?

4 A. The one at [Redacted], because it was two years in a row
5 that we really stood. Last year I backed off because I
6 was going through my treatments for cancer, so I wasn't
7 as vocal. I just did an article -- I was gonna do an
8 article, and the school paper -- well, wasn't the school
9 paper. It was -- the [Redacted], I think it was,
10 refused to -- even though I bought the page and paid for
11 the advertisement, they said they wouldn't print it. So
12 they turned me down.

13 And I asked 'em, why would you turn me down? This
14 is -- I paid for the page. I'm not asking you to do
15 it -- donate it. It's an article from the health
16 department. Well, sir, it's a family newspaper and we
17 don't want this kinda news in our paper.

18 Q. And what year was that?

19 A. That was last year. That was April last year, so
20 whatever --

21 Q. Is it --

22 A. April of 2009.

23 Q. Was it the same year as the [Redacted] event?

24 A. It's the third -- it's two years after the [Redacted]
25 event. Remember, I had the big rally and then we had a

1 smaller rally. We decided that we wasn't gonna go to
2 the school that year because of all the things that took
3 place the first year, and we didn't wanna put the kids
4 in that position again. So we didn't go to the school
5 as a rally that day, we just did articles and talking to
6 parents. And again, they took a large amount of the
7 kids outta the school.

8 Q. So let's go back.

9 My question was, have you ever had your car
10 vandalized as a result of your position --

11 A. Not my car, because our cars -- yeah.

12 Q. Please let me finish the question.

13 -- as a result of your stance on homosexual --

14 A. Right.

15 Q. -- behavior or same-sex marriage?

16 A. Right. We had an incident at the house, because
17 basically, everyone knows -- I don't have a private
18 residence. I mean, everyone knows where I live.
19 Private phone numbers, yeah, because of not wanting to
20 receive all the calls that I get at the office.

21 And my daughter was -- had a sleepover one night.
22 Well, I got gates. I got security gates because of all
23 the threats that I've gotten. And when a friend got
24 there that evening, the gate was closed. And she didn't
25 ring the bell, she just parked next to the gates outside

State Objects: Witness lacks foundation for the testimony; hearsay, and the testimony is irrelevant even if not offered for the truth of the matter, unrelated to R-71.

1 and walked up to the house. And my daughter told her
2 it's okay to walk up because, you know, our dogs was
3 locked up -- I have to have guard dogs -- because our
4 dogs was locked up, so it's okay to walk on in the
5 house.

6 Well, she left her car outside the gate. They
7 never went back to put the car up. The next morning, we
8 get up and go down there and every -- nothing was stolen
9 outta the car. Every window was busted: Side windows,
10 front windshield, back window. Just totally attacked
11 her car simply because it was parked in front of our
12 gates in front of the house. The next thing happened --

13 Q. Well, let me ask about that first.

14 A. Mm-hm.

15 Q. So had anything happened to the car other than the
16 windows being broken?

17 A. No.

18 Q. Was there anything painted on the car?

19 A. No.

20 Q. Was there a note left stating why the people had done
21 it?

22 A. No.

23 Q. Did you -- do you know for certain this wasn't an act of
24 random vandalism?

25 A. Could have been. I mean, it could have been. But

State Objects: Lack of foundation; hearsay; and the witness's testimony is irrelevant, unrelated to R-71.

1 that's after what happened with our mail.

2 Q. Let's stay with this car incident.

3 A. Mm-hm.

4 Q. What year was that?

5 A. It would have to be the year after the big rally,
6 because my daughter was still in high school. So we did
7 the rally in '8, '08. No, we did the rally a little
8 earlier than '08. So it probably was '08 that the car
9 was attacked, the windows.

10 Q. And then you wanted to go to another incident and I --

11 A. Mm-hm.

12 Q. -- paused you to talk about this. So let's --

13 A. Yeah.

14 Q. -- go to the other incident you wanted to talk about.

15 A. Yes, it could -- like I said, it could have been
16 something that just happened, you know, but I don't
17 believe that because of what had taken place before. We
18 were sitting in our home and the neighbors came by, of
19 course, and rung the front gate to come in. And we
20 opened the gate and they came in and here is all of our
21 mail. They had stolen the mail for several days, I
22 guess, out of our mailbox and had taken it up the hill
23 and thrown it in the ditch. So, I mean, that's -- I
24 think that's pretty big offense.

25 Q. Who did this?

State Objects: The witness's testimony is irrelevant,
unrelated to R-71.

1 A. I don't know who did it. If I did that, they wouldn't
2 be walking around free.

3 Q. And why did they -- do -- you don't --

4 A. I think it --

5 Q. -- know who did it, so I assume you don't know why?

6 A. Well, I think it's because of who I am, because of the
7 threats and the things that people have said they wanted
8 to do to me.

9 Q. How do you know?

10 A. I don't know. You don't know. But I'm not -- there's
11 eleven to twelve mailboxes on our street on the bottom.
12 There's another seven or eight on the top of the hill
13 where I live at. Only mailbox that was stolen, anything
14 done with, no one else mailbox was touched except Redac,
15 where I live.

16 Q. And was that in '08, then, as well?

17 A. I think it was '08.

18 Q. And did --

19 A. And so we had to end up, of course, getting one of those
20 security mailboxes.

21 Q. Did you call the police about the incident with the car
22 windows being broken?

23 A. Yes.

24 Q. Did they respond?

25 A. Well, I mean, yeah, I think they -- where were we? As

State Objects: The witness's testimony is irrelevant, unrelated to R-71.

1 parents, I think we was outta town. And I think that my
2 daughter and her friend -- I can get more details about
3 it, if need be, that -- made the call that someone had
4 busted windows and had attacked the car --

5 Q. So you --

6 A. -- that evening.

7 Q. -- didn't -- you didn't actually see the --

8 A. Right.

9 Q. -- car, then. Okay.

10 You heard about this from your daughter?

11 A. Well, my daughter called, yeah, someone attacked our
12 friend's car.

13 Q. And how about with the mail? Did you call the police
14 about that?

15 A. Yes, we did.

16 Q. Did you get a response from the police about the mail?

17 A. Well, only response they could really give us is, yep,
18 someone stole your mail and you probably need to have a
19 better security system.

20 Q. So do you know if they had a way of finding who had --
21 who did this to your mail?

22 A. No.

23 Q. Were you dissatisfied with the police response either to
24 the car incident or the mail theft?

25 A. No. It's just if you're gonna make a stand, then that's

1 things that is gonna happen to you. And that's just
2 part of what it's been like for the last five, six
3 years.

4 Q. I understand.

5 Anything else that you've experienced? You talked
6 about phone calls.

7 A. Most of 'em I don't get because the front desk and
8 Rachel takes care of those. We was getting so many so
9 frequently for a while with the [Redacted] incident and
10 being down at [Redacted] issue and then being in Olympia.
11 Man, oh, man, those -- that was almost an everyday -- I
12 mean, it was bad.

13 The people at work, you know, get nervous. You get
14 people calling in and saying that, you know, your
15 pastor's not gonna make it through the week, or, he --
16 you know, he needs to be dead, or, we're gonna get him
17 if we can catch him out. I mean, that's nothing to
18 laugh about.

19 Q. Did you hear any of those phone calls personally?

20 A. I try my best never to pick up those phone calls.

21 Q. So you didn't answer those phone calls --

22 A. No.

23 Q. -- yourself.

24 A. They came through the church office.

25 Q. So [Redacted] would be more knowledgeable.

1 A. [Redacted] and the receptionist.

2 Q. And by [Redacted], I'm referring to [Redacted], your
3 executive assistant.

4 A. Right.

5 They put it in blogs. I mean, it wasn't just the
6 phone calls. They had it in blogs, they had it in their
7 newspaper, they had it in many of the -- I'm trying to
8 think of different articles. I mean, they don't like
9 me, you know, and that's understood.

10 Q. And do you think that people have a First Amendment
11 right to express that they don't like you or like your
12 views?

13 A. Not in the way they did, no.

14 Q. And how --

15 A. You don't threaten me and say, I want you dead. There's
16 no right for that.

17 Q. Let's talk about specific instances where people said
18 they want you dead. When and where?

19 A. Most the times this comes out -- like if there's an
20 article that I've done, there's always comments and
21 people respond in comments to the article, whatever.
22 You can find 'em there, you can find 'em when they would
23 call and follow up with a call to the office, you can
24 find it in articles that they would write. I think
25 they -- there's been some wild ones, even, in The

1 Stranger newspaper. I think that there's been some big
2 follow-ups from that paper about me.

3 Q. So did you actually have anyone physically attack you at
4 any point through these years of rallies and --

5 A. I'm too --

6 Q. -- protests?

7 A. I'm too careful to put myself in a position to be
8 attacked.

9 Q. And --

10 A. Because the -- and the reason why I am is because I'm
11 gonna be the one that's gonna end up in trouble.

12 Q. And did you tell the police about these comments and
13 death threats?

14 A. We have called and we have let the **Redacted** Police know.
15 We have reported because we are supposed to. And, you
16 know, at times they would say, what do we need to do?
17 We had one incident that got to the point where they
18 came to the office and there was a letter left
19 threatening. We never could prove who wrote the letter,
20 but it was a very derogatory, very profane explanation
21 of what they thought about me and what they wanted to do
22 to me.

23 Q. Do you have a copy of that letter?

24 A. Oh, my goodness. I -- if I -- no, I probably don't.

25 Q. Did you give it to the police?

State Objects: Hearsay; the witness's testimony is irrelevant even if not offered for the truth, unrel R-71.

1 A. I think the police did get it. I'm not sure.

2 Q. And how many times did you call the Redacted Police about
3 death threats or --

4 A. Whenever there was something would come in, they said,
5 let us know. You know, and it was -- it's kinda got to
6 be to the point where it's kinda on a regular thing:
7 Hey, we got some more calls; hey, we got -- just to let
8 you know. No one's come to the office except that one
9 time that letter was dropped off. And so --

10 Q. And when you've called the Redmond Police, have they
11 been responsive?

12 A. Oh, yeah.

13 Q. Are you displeased with the Redacted Police?

14 A. I'm not displeased with the Redacted Police at all. If I
15 had any, it's -- like I said, it was more protecting the
16 people up at Redacted .

17 Q. Have there been any attacks on the church, the structure
18 itself?

19 A. Well, not on the church -- our church, because we rent.
20 So it's --

21 Q. And where --

22 A. -- you know, not ours.

23 Q. Where do you hold services?

24 A. We hold services at the Redacted in
25 Redacted Sunday morning.

1 But what did happen was, we had a big rally at
2 [REDACTED] Church, and it was announced that we
3 was gonna be using their church for our rally. It was a
4 worldview conference. Had nothing to do with anything
5 concerning this issue.

6 Q. And when did -- when was that rally?

7 A. It would be April of -- I think it was 2008, 2009.

8 Q. Did the rally --

9 A. It -- and it was concerning -- around the same time as
10 that Day of Silence, so I was in the news. And they
11 came to work in the morning and there was grafitti
12 written all over the church, you know, homophobe this
13 and hater, and they took glue and stuck it in all of the
14 keyholes on the outside doors. And I don't think
15 [REDACTED] had done anything to get those, but that's --
16 so it had to be because we was coming there that weekend
17 and use the building.

18 Q. Did the grafitti have any words?

19 A. Yes. You'd have to ask the church, because they washed
20 it off pretty quick because people was coming in for a
21 rally that evening.

22 Q. Did you see the grafitti?

23 A. No.

24 Q. And that didn't have anything to do with Referendum 71,
25 then?

State Objects: Lack of Foundation; hearsay; testimony is irrelevant even if not offered for the truth, unrel to R-71.

1 A. I couldn't tell you if it did or not. But I do know if
2 you are standing against them, you will be harassed and
3 you will be attacked in words and threats.

4 Q. So the [Redacted] rally that is in the newspaper article
5 that we've put into the record and that you have there
6 in front of you, that was in April of '08. And you said
7 you thought that the event at [Redacted] was around the
8 same time?

9 A. Mm-hm.

10 Q. So by around the same time, do you mean within that
11 spring of 2008?

12 A. Yes. I can get a specific date for you. But we have
13 our worldview conference the same every year and we
14 usually have it in April. Early May at the latest, but
15 it's usually April.

16 Q. But it would be the same year, 2008 --

17 A. Mm-hm.

18 Q. -- as the rally?

19 A. We had a rally in -- so it's '10 now. We didn't do very
20 much in '9, like I said, because of treatment. And '7
21 and '8 we had the -- '7 was the big rally, I think.

22 Q. You were nodding, so I'm just going to ask again to make
23 sure we get it clearly on the record.

24 A. Mm-hm.

25 Q. You think that the [Redacted] event would have been in

1 the spring of 2008.

2 A. Yes, I believe so. I don't think it was last year, I
3 think it was the year before.

4 Q. Has there been any sort of attack or grafitti or
5 vandalism of the church office?

6 A. No. No, we got all security cameras and everyone knows
7 that the office is pretty well secure.

8 Q. And we talked about two things occurring at your home,
9 the broken windows of the car --

10 A. Mm-hm.

11 Q. -- and the mail theft. Anything else at your home?

12 A. No. I mean, with security fences and dogs, there's not
13 very much going on at the house.

14 Q. And you said your home address is public.

15 A. Oh, yeah, everyone knows where I live.

16 Q. Did you ever have anyone come to services and disrupt
17 services?

18 A. Well, they've been to our service. They don't disrupt.

19 I mean, I'm too much fun.

20 Q. And by they, who do you mean?

21 A. We've had many visitors that are homosexual. One year,
22 right after we did -- had the Microsoft -- when that was
23 huge news, we had a boycott. The homosexual community
24 boycotted the church service. And so they let us know
25 they was coming. So all of a sudden, you know, okay,

1 what is gonna be the issue if we have them show up at
2 our church and what is gonna take place and how do we
3 wanna make sure that they're safe and we're safe?

4 So right before the service, we had taken -- it was
5 gonna be a hot day. It was in the summer -- I think it
6 was August -- and I'm -- it's been four or five years
7 now. And we said, hey, let's get some water out there,
8 let's get some refreshments for 'em and let 'em know,
9 hey, you're more than welcome to come in. We're welcome
10 to come in?

11 Said, yeah, you're more than welcome to come in.
12 You can't come in as a protester, but you can come in as
13 wanna see what goes on in our church. Because they were
14 saying, you know, I'm preaching against homosexuals
15 every Sunday -- I mean, that's my number-one message --
16 which is, you know, not true. And so they couldn't
17 believe we invited 'em in. So they did. They all
18 walked in, they all sit down. I said, you know, be
19 great if you guys just split up and enjoy yourselves
20 like anyone else that's coming into the church.

21 I stood up in front of the church and says, ladies
22 and gentlemen, we wanna let you know that the protesters
23 outside is no longer protesting. They're inside the
24 church here with us and they come to share with what
25 we're gonna do. The church applauded, told 'em, thanks

1 for coming. We had a great sermon, great singing. And
2 when they got through, they stayed around after that
3 service almost 45 minutes to an hour just talking and
4 beginning to get a good understanding about where I
5 stood.

6 And they -- two girls come up to me and said, it's
7 not about hatred, is it, of homosexuals? Go, no, it's
8 not. She says, you don't like anything the Bible don't
9 like. Yeah, that's where I stand. They says, okay, we
10 can understand it. If we wanna be a part of your
11 church, could we? I said, absolutely, as long as you do
12 what the Bible say and repent of any wrong you're doing
13 like anybody else.

14 Q. And so it sounds like they were well behaved and --

15 A. Well behaved and well accepted and had a great time,
16 because we're a lotta fun.

17 Q. And you said a lot of other people have come.

18 A. We have visitors there all the time because, I mean,
19 things come out in the paper that I've said, whatever,
20 you know. You know that someone's there listening.

21 Q. Just listening or have you ever had anyone be
22 disruptive?

23 A. Oh, no, no. We got -- you know, our church is really
24 organized and we really want folks to enjoy, but we
25 really -- everyone knows that you come in, you come in,

1 and we just don't put up with disruptions.

2 Q. It sounds like people are enjoying listening to you and
3 the service.

4 A. There was an article written about three years ago -- I
5 wish I could remember what it was -- and the guy had
6 come to the church because he had, you know, heard all
7 of the derogatory things about me and my stands and my
8 hatred for homosexuals.

9 And he came, he sit down, he was there for the
10 whole service, and he wrote a tremendous article
11 afterwards and basically said, you know, if he hadn't
12 heard about this guy and figured out, that he could have
13 been persuaded I was a pretty nice guy. But he didn't
14 think I was all the things that he had heard in the
15 papers and on the news. And so it is my lot in life to
16 take what people think and to still live what I believe
17 Biblically.

18 Q. But to get back to people who've attended the church
19 that disagree with you about homosexuality --

20 A. Mm-hm.

21 Q. -- none of them have disrupted services or misbehaved.

22 A. Nope. And we make that clear, you know, from very
23 beginning: When we're here, it's not a political time.

24 Q. And --

25 A. Nothing to do with politics.

1 Q. And you're welcoming of anyone who wants --

2 A. You welcome --

3 Q. -- to attend.

4 A. -- anyone who wants to come. And if you wanna join the
5 church, this is what it takes.

6 Q. So now I want to talk to you a little bit about
7 Referendum 71.

8 A. Sure.

9 Q. Have you signed the Referendum 71 petition?

10 A. I did.

11 Q. And do you remember where you were?

12 A. At the church office, I believe.

13 Q. And were others there at the church office?

14 A. Yeah. I mean, we would have 'em right at the office so
15 anyone that was at the office that came through that saw
16 'em could sign 'em. So we had petitions there right at
17 the church and at the church office.

18 Q. And did you think that the signature was a public
19 signature or that it was secretive?

20 A. Well, when you think about a petition, you think about
21 the right of privacy. I think that if I wanted someone
22 to know how I was gonna vote, why don't I just announce
23 that?

24 Q. So when you signed that petition, did you hide it?

25 A. No. I never would have thought that it would have been

1 an issue of someone trying to get all the names off a
2 petition to be published.

3 Q. After you signed, was the petition out in the public --

4 A. Oh, yeah. I mean, people handled 'em the whole time.
5 It wasn't like they just laid down on the table or, you
6 know -- when you got -- when they got full, they would
7 take that one and they would put it away and then they
8 put a fresh one out.

9 Q. So the page that you signed, others could have seen it
10 while they were --

11 A. While they were signing it, yeah.

12 Q. And so were petitions made available at the church to
13 sign?

14 A. Mm-hm.

15 Q. Could you --

16 A. Yes --

17 Q. Yes.

18 A. -- they were.

19 Q. And did you talk about Referendum 71 or the petitions to
20 your parishioners?

21 A. I said, we need to stand and this is one of the ways we
22 can stand against what we believe is right, is the
23 letting it be brought to a vote.

24 Q. And did --

25 A. And --

1 Q. -- you say that during a sermon or from the pulpit?

2 A. It would be more like announcements. You know, once I
3 start the sermon, it's -- everything else is off. This
4 is time for the word. But in our announcements and
5 different things, we would always encourage our people
6 to be involved with our country, our state, and to be --
7 make sure they're registered voters, because if you
8 don't vote, you don't have any say-so, especially to me.
9 You're not taking your responsibility God wants us to do
10 to be involved. So --

11 Q. And --

12 A. -- those are the type of things that are being said.

13 Q. Were those announcements made during the church service?

14 A. Yes, mm-hm, mm-hm.

15 Q. Did you gather signatures on petitions outside the
16 church at all?

17 A. Personally, no, I did not. But, you know, a lot of our
18 people participated, I'm sure.

19 Q. Did you publicly endorse Referendum 71?

20 A. I cannot tell our people how to vote. I never tell our
21 people how to vote. At the most, I can say how I'm
22 gonna vote. So if they want to hear that, they can. I
23 mean, I'm never, ever shy of how I stand Biblically and
24 how I vote. But I can't tell -- you can't say, well,
25 you need to vote for this person, you need to vote for

1 this proposition.

2 Q. So you didn't publicly endorse Referendum 71?

3 A. I think if you would say publicly, I said I believe in
4 it. So yeah, that would be a public advantage of
5 saying, I believe in this. What -- I never say, you
6 have to believe in this, or I never say, you have to
7 vote this way because I do. That's not my job as --
8 telling folks what they can and can't do as their
9 pastor.

10 Q. Did you publicly say, I endorse or I support
11 Referendum --

12 A. Yeah, mm-hm.

13 Q. -- 71?

14 A. Mm-hm.

15 Q. And do you know whether your support or endorsement was
16 stated on the Protect Marriage Washington Web site?

17 A. No, I don't think -- I think the one that -- the -- was
18 more of a Joe Fuiten type of endorsement. I'm not -- it
19 wasn't something like I was -- my name was big on it or
20 whatever, no.

21 MS. EGELER: Okay, just a sec.

22 Q. (by Ms. Egeler) If Protect Marriage Washington had put
23 you down and listed you as an endorser of
24 Referendum 71 --

25 A. I think I went and spoke at a CWA, Concerned Women of

1 America, rally.

2 Q. But if I could finish my question.

3 A. Yeah, okay.

4 Q. If Protect Marriage Washington listed you as an endorser
5 or supporter of Referendum 71 --

6 A. Mm-hm.

7 Q. -- that would be a surprise to you?

8 A. No, because so many people talked to me about it. They
9 could have said, are you for it? Oh, yeah, you know.
10 Would you support it? Yeah. It wouldn't be a surprise
11 they put my name on it, no.

12 Q. And did you ever have any open statements on the Protect
13 Marriage Washington Web site about your position on
14 Referendum 71?

15 A. I could not tell you unless they was quoting me from
16 some of the speaking engagements. Like I said, I went
17 and spoke at several doing rallies, so they could have
18 quoted me from those, mm-hm.

19 MS. EGELER: Let me mark this as Exhibit No. 3.

20 [Off the record - discussion]

21 [Exhibit 3 marked for identification]

22 Q. (by Ms. Egeler) What I've handed you is what we're
23 marking as Exhibit 3 to your deposition.

24 A. Mm-hm.

25 Q. And this is -- states at the bottom of the page from the

1 protectmarriagewashington.com Web site. And it states,
2 "State Leaders Support REJECT R-71 Effort" --

3 A. Right.

4 Q. -- exclamation point. [Redacted]

5 [Redacted] --

6 A. Right.

7 Q. -- [Redacted]. Do you see where I am?

8 A. I am. Yes, I see exactly.

9 Q. Is that a quotation from you?

10 A. I'm sure it is if they said that. But I'm saying it's
11 probably at one of the rallies I was at, probably not at
12 the church or something I specifically wanted them to
13 print. So I'm sure that is something it sounds like I
14 would say at the -- either the Concerned Women of
15 America or one of the other rallies, other churches that
16 pastors had got together.

17 Q. So did you do a number of rallies with respect to
18 Referendum 71?

19 A. Not very many, because I wasn't feeling well at the
20 time. So it was limited. I would have probably done a
21 lot more if I was as healthy as I wanted to be.

22 Q. And you talked -- you were talking about one with a
23 women's organization. Can you tell me about that.

24 A. My goodness. It's probably at -- up in the [Redacted]
25 area before -- had to be before the vote. And it was

1 a -- I think it was a two-day rally, a Friday and a
2 Saturday. And I came in and spoke that Saturday.

3 Q. To the rally?

4 A. To the rally, yeah.

5 Q. Any other rallies you remember for Referendum 71?

6 A. Man, I probably did some things on the news, radio,
7 people calling me, because I'm always called. I mean,
8 just who I am and, you know, what -- people know where I
9 stand. So that's probably the best that I can say,
10 that -- radio interviews, people calling me getting
11 quotes, Concerned Women of America rally. So those
12 would be the ones I can remember.

13 Q. Do you remember if you had a Referendum 71 sign in your
14 yard at your house?

15 A. No.

16 Q. No, okay.

17 A Referendum 71 bumper sticker?

18 A. No.

19 Q. Do you feel that you experienced harassment or threats
20 as a result of your public speaking regarding
21 Referendum 71?

22 A. Absolutely.

23 Q. Can you tell me about that.

24 A. Well, anytime -- like I said earlier in the deposition
25 here, that anytime my name is mentioned in the paper,

1 anytime there is an issue that is concerning the
2 homosexual issue that my name is mentioned, anytime I'm
3 on TV, anytime I am interviewed and it get -- go public,
4 I am gonna get threats and I'm gonna get calls. It's
5 automatic. It's just gonna happen. I'm gonna be
6 threatened.

7 Q. Can you tell me specific incidents that occurred as a
8 result of your speaking on Referendum 71 as opposed to
9 prior to Referendum 71, the stance that you took with
10 respect to homosexuality?

11 A. Well, I think they think I'm a nut and I think they look
12 at me as being inconsistent, because if I am for equal
13 rights for minority of blacks, they think I should
14 understand the fight that they're going through.

15 Q. Did you have anything happen at the church as a result
16 of your speaking out regarding Referendum 71?

17 A. They're not -- no. I mean, that is not gonna happen at
18 the church, it's not gonna happen at the office. But
19 the thing that's gonna happen is the calls and the
20 threats that comes through the -- you know, the bloggers
21 and all that.

22 Q. So which blogs did you receive threats on as a result of
23 your involvement with Referendum 71?

24 A. I think you'd have to probably just look at some of the
25 articles and the comments that come after those

1 articles. Like if this (indicating) came out in the
2 paper, it won't be long; I'm gonna get calls. They're
3 gonna come in. I mean, it is automatic. They're gonna
4 find some way to harass me about my stand, and that's
5 automatic. I don't have to worry. I don't have to say,
6 you know, it's not gonna happen.

7 The only time that I can say that I haven't gotten
8 many harassment calls was after that article that was in
9 The Stranger, the one I wrote. I think that you -- did
10 you get a copy of that? I think --

11 Q. We might have.

12 A. Yeah, I think you did.

13 MR. MCBRAYER: It's right --

14 MR. PIDGEON: That's it right there.

15 MR. MCBRAYER: -- right there (indicating).

16 A. Which was an absolute amazing surprise to us, that no
17 one wanna dispute the article and that the more they
18 talked about the article, the worse my case was made.
19 And so that's -- now, that's the only article in ten
20 years that was not very much response. They were so
21 angry at that being printed by [Redacted] itself, they
22 got -- [Redacted] got attacked for printing that
23 article. So I was glad someone else could share.

24 Q. (by Ms. Egeler) So did you receive any death threats
25 specifically because of your position on Referendum 71?

1 A. If it was, I wouldn't have known, because I don't
2 receive the phone calls. The church takes care of
3 those. And if it's something that is bad enough, they,
4 hey, says, you know, we got phones -- call today, people
5 are upset about what you said, they don't like your
6 stance on the referendum. Or they say, hey, you know,
7 we need to take some extra caution Sunday; this came in.

8 But I try never to really listen at the calls. I
9 mean, it don't do me any good to have that in my head.
10 And, you know, I'm trying to stay straight and not be
11 prejudiced myself towards those who's threatening me.

12 Q. So you did not see anything threatening to kill you
13 following your endorsement of Referendum 71.

14 A. No. Only thing that came up was, there were some
15 comments that came through that says, you know, this guy
16 should be taken out, this guy isn't worth living. I
17 mean, I've gotten so many of those now.

18 When I was going through the Redacted issue and
19 when we was going through standing against -- for
20 marriage -- which is what I do. I'd rather stand for
21 something than to stand against something, and that's
22 what I do. And if you're gonna stand for something,
23 then they're saying you are standing against and that's
24 how it is. And I -- at times, I was getting 400 threats
25 a year. I mean -- and so if they know who I am and have

State Objects: hearsay; irrelevant,
unrelated to R-71.

1 the freedom to threaten, what would the average citizen
2 do if their name gets out there and feel threatened?

3 Q. Well, let's talk about what you said. You said that
4 there have been so many comments that they want to take
5 you out. How many were there saying they want to take
6 you out specifically with connection to your stance on
7 Referendum --

8 A. I don't think you can tie them in --

9 Q. Excuse me; let me finish.

10 A. Okay.

11 Q. -- specifically with respect to your stance on
12 Referendum 71?

13 A. I don't think you can separate that in my life.

14 Q. Then how many have you received -- how many phone calls
15 or messages have you received that talk about taking you
16 out?

17 A. Oh, my land. You know, if it was less than 900, I would
18 probably -- that's very conservative in the last four or
19 five years.

20 Q. And do you think that these people that make those kind
21 of remarks are cowards just using words?

22 A. I don't take the chance that they're cowards. Someone
23 that says that has got it in their mind.

24 Q. Have you ever seen someone act on it?

25 A. Well, I think the group that was up there at Redacted

1 acted on it, and it would have been worse if the police
2 wouldn't have stepped in.

3 Q. Any other instances where they acted on it?

4 A. The rallies. We was down at [Redacted]. Oh, my land,
5 the words and the things they did. And we invited them
6 in to come and sit, and they took a whole section. And
7 they had sexual toys and they was screaming bad words
8 and things at the speakers. Dr. Dobson had to stop at
9 one time and turn and address them, that we're glad
10 you're here. I mean, it isn't a very tolerant group.

11 Q. You say the things they did at that [Redacted] rally. What
12 things did they do?

13 A. The interruption with the loudness, the section that
14 they all sat in, having the -- like I say, the sexual
15 toys they were showing. And, I mean, we got kids
16 there --

17 Q. But did they --

18 A. -- at this rally.

19 Q. -- do something that made you think they were going to
20 take you out, some sort of physical --

21 A. The amount of threats -- no. It was the amount of
22 threats that came in before that rally. And everyone
23 didn't think that it was gonna be that successful,
24 because we only had 30 minutes (sic) to do it. But once
25 they saw the success of it, boy, it exploded. I mean,

State Objects: The witness's testimony is irrelevant, unrelated to R-71.

1 they -- and that's why we had police everywhere at that
2 rally. I mean, we had state police, we had Seattle
3 Police, we had everyone there because I had gotten so
4 many threats; I mean, hundreds and hundreds of
5 threats --

6 Q. Do you feel that --

7 A. -- to my life.

8 Q. -- that the police stopped violence from occurring?

9 A. I guarantee you they did.

10 Q. So were you pleased with the police response?

11 A. I was, very. The King County at the time -- boy, how
12 many years ago was that? Because Reichert was the head
13 of the sheriff's department at that time. And when they
14 started, they -- because we thought they may try to come
15 down on the field from the stands. And he just -- he
16 gave a word, they went down, they stood down along the
17 walls, and that shut that down immediately. We had
18 three or four hundred other protesters outside blocking
19 people from getting in. And so it was not the kind of
20 thing where you feel loved.

21 Q. So how were people able to get in if they were blocked?
22 Did the police --

23 A. They --

24 Q. -- help with that?

25 A. Yes. They just kept -- you know, people just didn't say

State Objects: The witness's testimony is irrelevant, unrelated to R-71.

1 anything. We had said, look, don't say anything, keep
2 focused. You're probably gonna run into protesters, but
3 just get to the stadium, and you've got protection there
4 and you're gonna be okay.

5 Q. So do you know if any of your parishioners signed
6 Referendum 71?

7 A. I'm sure they did. I mean, yeah.

8 Q. And do you know of any of them being attacked or
9 harassed or threatened?

10 A. No. They enjoy attacking their pastor.

11 Q. So the --

12 A. Most of the people, if it's gonna be an attack, it's
13 gonna be towards me. Very seldom they gonna just come
14 at our people. They don't know our people. They don't
15 know where they stand. But if this -- their names get
16 out, what's gonna keep 'em from being harassed and
17 attacked?

18 Q. But do you know of anyone being -- in your church other
19 than you, who've been very public and are the center --

20 A. Right.

21 Q. -- and focal point of your church, do you know of any
22 ordinary parishioners attracting threats or harassment
23 as a result of signing the petitions?

24 A. No. No, I could not say that I know anyone personally.
25 But people don't know 'em. They don't know who they

1 are.

2 Q. Now, you've been involved in so many activities. We've
3 talked about the [Redacted] shareholder meeting and the
4 [Redacted] rally and [Redacted] and huge rally in Washington,
5 D.C., and then endorsement of Referendum 71.

6 A. Mm-hm.

7 Q. And you said that the year of Referendum 71, you were
8 ill and couldn't make as many appearances as you'd like;
9 is --

10 A. Mm-hm.

11 Q. -- that right?

12 A. Mm-hm.

13 Q. You stated that you've averaged as many as 400 threats
14 or harassing comments a year. Did -- since you were not
15 as physically able to get out and publicly speak in
16 2009, did you experience 400 a year?

17 A. No, no. If I'm not very active, it's not as much. And
18 that is why, you know, that responding to this
19 (indicating) -- I mean, if that came out in the paper,
20 the phone's gonna go off the hook. It's just automatic,
21 because all of a sudden they had a -- you know, the
22 great homophobe is speak out again. And they feel that
23 this is a responsibility -- I don't know if they're
24 trying to scare me. I don't know why they would even do
25 it. It hasn't worked, you know. But they keep trying.

State Objects: The witness's testimony is irrelevant, unrelated to R-71.

1 They won't give up.

2 MR. MCBRAYER: At some convenient point, could we
3 go off the record, take a break, five minutes?

4 MS. EGELER: Sure.

5 MR. MCBRAYER: Whenever you get to a convenient
6 point.

7 MS. EGELER: Okay, we can take a break now. That's
8 fine.

9 [Off the record - recess]

10 Q. (by Ms. Egeler) Pastor, we've talked about all sorts of
11 harassment. And I want to narrow it down just to
12 harassment that you've experienced as a result of your
13 stance on Referendum 71 and ask, is there any form of
14 harassment you experienced that we didn't talk about?

15 A. I can't think of anything that we haven't talked about.
16 I think that the difficulty in talking about
17 Referendum 71 is, you're trying to limit what -- the
18 attacks that I've had on this whole issue.
19 Referendum 71, it's just one of many of why I have been
20 attacked, called, threatened. And so Referendum 71 just
21 give them another excuse to come after me.

22 Q. Is it fair to say that it's hard to separate out why a
23 particular person called you, whether they're angry
24 about the Redacted rally or other things they've seen in
25 the paper, as opposed to Referendum 71?

1 A. Well, I think it's the same issue. The issue is
2 standing against homosexuality. Whether it was the
3 [Redacted] rally; whether it was the [Redacted]
4 at [Redacted]; whether it was going to Washington, D.C., to
5 have that rally; whether it's standing up in front of a
6 little group of women talking about what needs to be
7 done, the issue is that if you stand against
8 homosexuality, you will be harassed.

9 Q. You talked about Web sites that had threatening comments
10 on them. Can you tell me which Web sites you're talking
11 about?

12 A. Oh, my goodness. You know, you are asking me to do
13 something I very seldom try to pay attention to. [Redacted]
14 probably would have been a better person or the people
15 at the church, because most of the time I get these,
16 they say, hey, look what came in, or, look what showed
17 up on this, or, look what happened after your article.
18 You know, and then I read 'em and -- or disregard 'em.
19 I don't wanna read 'em.

20 So there is countless Web sites and bloggers that
21 will -- some of -- the ones that probably really
22 advertise 'em, one that surrounds the gay-sensitive
23 newspaper here in town, The Stranger, because, you know,
24 anything they print about me is gonna cause a lot of
25 response.

1 Q. Is it fair to say that you don't and haven't gone to
2 look at the Web sites or blogs yourself, you hear about
3 them from others?

4 A. Oh, yeah. I mean, it's -- you know, they'll send 'em to
5 me or they'll let me know. You know, I may follow up
6 then. But as far as just trying to go out and find, no.
7 I mean, threats are bad enough. I don't wanna go
8 looking for 'em.

9 Q. So you couldn't tell me the names of any specific Web
10 sites or blogs?

11 A. No. You wanna look at -- you know, like I say, you can
12 look at [Redacted] Web site. You can look at any of
13 the articles that was in these papers (indicating) and
14 look at the comment pages, if they still have 'em. I
15 mean, you can see 'em for yourself.

16 Q. And again, you've told the [Redacted] Police about each of
17 these instances where there's a threat.

18 A. We're always letting 'em know. A lotta the time, you
19 know, they can come in four or five days and so many.
20 We just may wait and give 'em a call and say, hey, we
21 just wanna let you know that we received some calls, we
22 received some threats, and just keep you posted.

23 Q. Do you think the [Redacted] Police make any effort to go by
24 the church, drive by now and then, just to make sure
25 everything's going okay?

1 A. I think they would. I mean, they know this crazy
2 citizen of theirs there in [Redacted] and they know what's
3 going on. So, you know, we're pleased with the police.
4 I mean -- yeah.

5 Q. And do you think that they've helped to stop any actual
6 violence from occurring?

7 A. I couldn't tell you. They haven't allowed us to know.

8 Q. And as part of your appearing here today, there was a
9 subpoena duces tecum issued to you, and it asked you to
10 bring all records stored in paper or electronic
11 format -- and I'll paraphrase -- that talk about threats
12 or harassment that you've received. And you've brought
13 quite a stack of newspapers with you here today; thank
14 you. Does this compromise (sic) all of the paper or
15 electronic images or discussion of harassment or threats
16 or retaliation related to Referendum 71 that you have?

17 A. I would -- probably one that would know about all the
18 paperwork and things that come in, the threats, the
19 calls, would be more the people at the church, and I
20 think you talked to [Redacted] about that. But, you know,
21 you can get so many, you just kind of hit the delete
22 button after -- why keep 900 --

23 Q. Do you have any --

24 A. -- Emails?

25 Q. Do you have any Emails?

1 A. I wouldn't. You know, I wouldn't. They don't even know
2 my Email address, so that -- we try to protect that.
3 And you can't even really call me at the church. You
4 can't get straight through to me at the church. You
5 have to go through two other avenues to get to me.

6 Q. Do you have any recorded messages at the church that
7 recorded some of these phone calls?

8 A. Probably have to ask **Redacted** and other people there.

9 Q. And anything written -- letters, et cetera -- that might
10 have been received, do you have any knowledge of that?

11 A. I wouldn't. If -- like I said, if something came in
12 they thought was worth sharing with me, they would. If
13 we had to take any special precautions, they would let
14 me know and we would work on making sure we took those
15 precautions.

16 Q. Did you receive any threatening letters or voice
17 messages at your home?

18 A. Oh, no. That's all private, so --

19 Q. And did you receive any threatening phone calls or
20 harassing phone calls at your home?

21 A. No.

22 Q. Any other harassment that -- or threats that we haven't
23 talked about?

24 A. No. I think we've talked about the majority of 'em, you
25 know. It's gonna -- I'm gonna get threats, I'm gonna

1 get attacked, I'm gonna hear something any and every
2 time I'm in the news.

3 Q. After Referendum 71, we had an election in November of
4 2009.

5 A. Right.

6 Q. So the issue, at least in terms of the election, is --

7 A. Right.

8 Q. -- is settled. Have you continued to speak out on
9 issues involving homosexuality?

10 A. Every opportunity I get, yeah, I do.

11 Q. So you've spoken since November of 2009.

12 A. Oh, yeah, mm-hm.

13 Q. And have you continued to receive harassment or threats
14 as a result of that?

15 A. There's always gonna be some kinda call, there's always
16 gonna be some kinda written response to anything I write
17 every time I do it. Like I said, the only time it was
18 scary that I didn't get any was from the newspaper. The
19 newspaper got attacked, but I didn't.

20 MS. EGELER: Okay, I don't have any more questions
21 at this time.

22

23 EXAMINATION

24 BY MR. MCBRAYER:

25 Q. I had a couple, Mr. [Redacted], on direct. This is Ryan

1 McBrayer representing Washington Families Standing
2 Together.

3 At the **Redacted** rally --

4 A. Mm-hm.

5 Q. -- your testimony earlier was that when you arrived,
6 people accosted you --

7 A. Mm-hm.

8 Q. -- right away. But between that point and the point at
9 which the police separated the two groups was a 45-
10 minute period.

11 A. It's almost 45 minutes, yeah.

12 Q. You testified at another point that it was only five
13 minutes before the point of separation -- you actually
14 asked the officer and he made the -- you actually -- you
15 asked the officer --

16 A. Right.

17 Q. -- to separate the groups and he made the call.

18 A. Right.

19 Q. Is that time line accurate?

20 A. It's pretty -- as far as my remembering the whole
21 situation and the day, very close. Because I was really
22 surprised that they didn't move in earlier to separate
23 us.

24 Q. Well, it's the earlier that I'll ask you about, because
25 that leaves about 40 minutes --

1 A. Yeah.

2 Q. -- in between where --

3 A. Because we got there before the crowd got there.

4 They -- myself, my wife, some of the bodyguards, and
5 some of the people that was coming with me to make sure
6 they were gonna keep everything safe.

7 Q. When you first arrived, how many of the -- if I might,
8 can I call them counterprotesters or what -- the
9 people -- the group of people that greeted you --

10 A. Right.

11 Q. -- for lack of a better --

12 A. Right.

13 Q. I'm not trying to put words in your mouth.

14 A. I know you're not.

15 Q. How big was that group?

16 A. Well, it was much larger than the people that was gonna
17 be coming within the next 30 to 40 minutes, because we
18 got there early for the rally. And so they had already
19 gotten there, because many of 'em had came at the very
20 beginning of the school and they were standing there
21 when the schoolkids arrived. And our plan was not to
22 get there until after all school had started, the kids
23 was inside. And we didn't want them participating and a
24 part of the rally.

25 So when I got there, it was before all the other

1 people there. And that group that was already there
2 from the very beginning of that morning, when they saw
3 me coming, I mean, they -- here they come. I think it's
4 about 30, 40.

5 Q. How long between that point and when the rally -- your
6 rally started? How long elapsed?

7 A. It was probably about 40, 45 minutes by the time the
8 rally started. And it was right before the rally
9 started that I asked the policeman, because there was
10 more and more people arriving and coming and I thought
11 that we couldn't control everyone. The group that came
12 with me, we had very good control. We had already
13 talked about what we would and would not do, what we
14 would and would not say. So that group was more
15 contained and controlled by me.

16 Q. How big was --

17 A. But --

18 Q. -- your group?

19 A. Probably about 10 to 15 people plus the wives.

20 Q. What happened during the 40 minutes?

21 A. They just -- you know, they just wanted to make sure
22 that they knew that -- how dumb I was and how hateful I
23 was, how much of a hatermonger I was and -- you know, to
24 stand up against that which they believe was natural,
25 and to let me know how less of a person I was.

1 Q. Well, I want to -- let me ask you a series of questions.

2 And I'm going to -- I want to hear --

3 A. Sure.

4 Q. -- the positions, you know, the beliefs --

5 A. Mm-hm.

6 Q. -- but I want to get a few of just the basic mechanics
7 down, you know.

8 First of all, how far away from the building did
9 you park?

10 A. I was probably about -- from the parking lot of the
11 school, we probably parked a good 40 yards, 50 at the
12 most, on the same main street.

13 Q. And did you -- right away when you got out of your car,
14 where did you walk to?

15 A. I was on the west side of the parking lot of the school.
16 I parked on the north side of the street that was west
17 of the parking lot for the students. And when I started
18 walking -- we got out of the car and crossed the street
19 right after I left the car. So we was probably about --
20 we didn't even make 10 or 15 yards before they looked
21 up, saw me, and here they came.

22 Q. And then for the remaining -- when they met you, were
23 you standing on the sidewalk?

24 A. I never stopped walking. As they came toward me, I kept
25 going, because the place where I thought they was gonna

1 separate us would be a safer place to be than just
2 stopping on the sidewalk and talking.

3 Q. And you -- when you say you never stopped, at some point
4 did you -- during the 40 minutes did you stop walking or
5 were you walking --

6 A. Oh, yeah. Oh, yeah --

7 Q. -- for 40 minutes?

8 A. -- we got over right in front of the -- used to be the
9 tennis courts; they removed 'em now. But the first
10 thing you would hit when you went into the students'
11 parking lot was the tennis courts. And we were standing
12 right north of the tennis courts on the south side of
13 the main street.

14 Q. So the -- this was -- the area where you were standing
15 was bounded by -- was this -- it was a sidewalk or a
16 concrete -- larger concrete area?

17 A. Sidewalk and probably about an eight-foot valley fence
18 that surrounded the tennis courts.

19 Q. And was there a larger concrete area there or was it
20 just a sidewalk?

21 A. Just a sidewalk.

22 Q. And you got there. You stood there, I take it, for some
23 significant period of time before the rally started?

24 A. By the time we got there for where we just stopped and
25 stood, it was probably about 30 minutes before the rally

1 actually was gonna take place. So the time of arriving,
2 time of parking the car, time of getting out, have them
3 come and approach me, walk through them -- because we
4 wanted to make sure that we was very careful not to bump
5 into anyone and try to even be aggressive in any way --
6 until I got to where we was gonna be standing for the
7 rally. And by that time, you know, we had about 30
8 minutes left or so for the rally to start.

9 Q. And what happened during the 30 minutes? Were you
10 standing there the whole time?

11 A. I was standing there with the rest of the guys that
12 whole time.

13 Q. And what were the counterprotesters doing?

14 A. They was making sure that they could get as close as
15 they could to me and let me know how disapproving they
16 were of what I was doing.

17 Q. Were they shouting at you?

18 A. Oh, yeah. Not only me, but like I said -- you know, you
19 can attack me. I mean, I'm a big boy; I can take it.
20 But when they start talking to my wife and start calling
21 her names and talk about my family and kids, that's
22 another story.

23 And I knew that eventually, you know, the police
24 are gonna come up here. I mean, we supposed to be
25 separated. But it just kept going, kept going. And

1 they -- and it seemed as though they got a little bolder
2 as the time went on. And by the time the other people
3 started coming is when I -- you know, to -- got to, hey,
4 we need to get some separation here, man, because --

5 Q. But I --

6 A. -- I don't know how other people are gonna act.

7 Q. I guess it's during that 30-minute period people are
8 shouting at you.

9 A. Yeah.

10 Q. Were they emotional?

11 A. Oh, yeah. Oh, yeah.

12 Q. Did you say anything back?

13 A. I try my best not to say anything except, you know,
14 please, don't get this close to me. And the guys were
15 saying the same thing: It's best you not get this
16 close.

17 Q. When you had -- you mentioned you had 15 guys and their
18 wives. I take it you -- were these --

19 A. Fifteen altogether with guys and their wives.

20 Q. Were you in the middle of this group of people
21 associated with your party --

22 A. Yeah.

23 Q. -- such that the people, the 15 guys, were --

24 A. Yeah, we tried --

25 Q. -- protesters away from you?

1 A. We -- yeah, we were try --

2 THE REPORTER: I'm sorry, I'm sorry; I need one at
3 a time.

4 THE WITNESS: Okay.

5 THE REPORTER: I can't do two.

6 MR. MCBRAYER: Yes.

7 THE REPORTER: Can you do that again, please,
8 because I couldn't get both of the --

9 THE WITNESS: I'm sorry.

10 Q. (by Mr. McBrayer) And let's -- let me start that over
11 just so she can --

12 THE REPORTER: Thank you.

13 Q. (by Mr. McBrayer) -- report us, try and be polite to
14 her.

15 Do you -- so you get your group of 15 people. Was
16 it true that they were surrounding you to prevent the
17 protesters from approaching you --

18 A. As --

19 Q. -- closely?

20 A. As much as they could without touching. That was the
21 most difficult thing, is to be able to keep them away
22 from me without getting physical.

23 Q. Right.

24 A. And that's how the -- you know, the guy and some of the
25 others got that close to me, because here they are, is

1 trying to, you know, put a perimeter around me, yet
2 still it took so long that that perimeter broke down
3 some.

4 Q. Did any of the protesters physically assault any of the
5 15 gentlemen who were with you? I want to set aside the
6 words --

7 A. Right.

8 Q. -- and the shouts. Were there any physical altercations
9 with the 15 people who accompanied you?

10 A. No, it was none, because we had talked so much about how
11 it was gonna be and, guys, even if they try anything,
12 our responsibility is to stay calm.

13 Q. I want to use the word "physical altercation" more
14 broadly. I understand you had instructed the 15 men in
15 your group not to react in any way.

16 A. Right.

17 Q. Did you personally observe any of the protesters and
18 people who were protesting against you physically
19 assault any of the 15 gentlemen in your party?
20 Regardless of whether the 15 gentlemen reacted
21 themselves --

22 A. Right.

23 Q. -- did you observe any one-way assaults?

24 A. No. They was -- if you talk about physical touching --

25 Q. Right.

1 A. -- the guys got too close or whatever, yeah. I mean,
2 they got -- the guys that were surrounding me did get,
3 you know, body contact or people would push or say
4 something, you know, trying to get to me. They had to
5 get physical contact to them to get to me. And so
6 they -- I was very proud of the guys for keeping their
7 calm.

8 Q. Were there any punches thrown?

9 A. No. Oh, no, no.

10 Q. People trying to get closer to you to shout.

11 A. Let me know that they did not appreciate me being there
12 and what they thought of me.

13 Q. Did anybody say that day that they were going to kill
14 you?

15 A. No, not to us. No.

16 Q. Well --

17 A. This whole incident, if I can say, was -- and I wanna
18 say it correctly and I wanna say it straight. This
19 whole incident that happened at **Redacted**, you gotta
20 understand the background behind it, because most people
21 don't. I'm classified as one of the number-one
22 homophobes definitely in the Northwest, probably in the
23 nation. You know that, right?

24 Q. I wasn't aware of that until today, but --

25 A. Okay.

1 Q. -- I understand that's your testimony.

2 A. Right. And you can just read it. I mean, you can just
3 go to the Web, go to Google, you can go to Wikipedia,
4 you can do anything you want. You can find out real
5 quickly that I'm basically classified as the number-one
6 homophobe.

7 Now, when this issue came up about the Day of
8 Silence, my kids was in the school. They allowed it to
9 be announced. The teachers that stood up and booed when
10 I was there speaking for the Martin Luther King Day
11 booed. Teachers, not just students, booed me. And it
12 was the most important day of my daughter's life,
13 because the second girl got me to come when she was a
14 senior, which was four years later, okay? My daughter
15 and I came is the first one.

16 So they basically wanted me to come that year so
17 they had a way to make it a national issue. If they
18 could beat the number-one homophobe in his own school,
19 that would be quite a victory. They had lawyers come
20 from California, they had lawyers come from New York,
21 they bussed in people to the school boards. I mean, it
22 was a major issue. So when I went there to do that
23 rally, it was not a local issue, it was to defeat this
24 person who is against us. And that's why it was so --
25 the tension was so strong.

State Objects: The witness's testimony is irrelevant, unrelated to R-71.

1 Q. Well, let me ask you kind of a summary question, and I'd
2 like you to disagree with me if you can.

3 A. Sure.

4 Q. Let me take that. If you're the -- in your own words,
5 one of the most prominent alleged homophobes in the
6 country --

7 A. Mm-hm.

8 Q. -- going to a rally where people are being bussed in --

9 A. No, that was at the school board.

10 Q. But going to a rally at a time when there was a lot of
11 not only local but national attention on this --

12 A. Mm-hm.

13 Q. -- rally, where you arrived 30 minutes early for the
14 rally --

15 A. Mm-hm.

16 Q. -- where the police did not separate the groups --

17 A. Mm-hm.

18 Q. -- for this initial period of --

19 A. Mm-hm.

20 Q. -- time, where the people protesting in favor of gay
21 rights or against you were emotional and vociferous --

22 A. Mm-hm.

23 Q. -- and yet no physical violence occurred.

24 A. Mm-hm.

25 Q. Is there anything wrong about what I just said?

1 A. No.

2 Q. I mean, is there anything inaccurate?

3 A. No, not really. No.

4 Q. You spoke at one point about the [Redacted] Church
5 incident where you were going to speak at the worldview
6 conference.

7 A. Mm-hm.

8 Q. Did you see any of the grafitti on the church yourself?

9 A. No, I did not. Remember I said, is -- they had removed
10 it pretty quickly once they came in that morning.

11 Q. I just -- I wanted to make sure that that was -- they
12 had removed all of it and you didn't see any of it.

13 A. I didn't see any of it.

14 Q. Your understanding of what was said is based on what
15 church members told you.

16 A. Right, church members of [Redacted].

17 Q. Of [Redacted] Church.

18 A. Mm-hm.

19 Q. You also spoke or testified this morning about a
20 letter -- particular letter that someone left at your
21 church --

22 A. Mm-hm.

23 Q. -- that was very explicit in, I think you said, the kind
24 of things they wanted to do to you.

25 A. Mm-hm.

State Objects: Hearsay; irrelevant,
unrelated to R-71.

1 Q. Is there only -- I want to make sure I'm talking about
2 the correct letter. Is there --

3 A. Right.

4 Q. Is there one letter that stands out in your mind in that
5 regard as --

6 A. The reason --

7 Q. -- being explicit?

8 A. Yes. The reason why that letter was -- you know, had
9 more of an impact is because they got that letter and
10 put it inside the office. So someone had entered our
11 office and left that letter there. And that had never
12 happened before and it hasn't happened since. So that
13 would catch my attention.

14 Q. Did the writer of the letter express their motivation
15 for making the threats against you?

16 A. Yeah, I think it was quite specific about not liking me
17 and think that I -- they should hurt me.

18 Q. I understand that they threatened to hurt you. My
19 question is, was there a tie in the letter -- in the
20 letter itself. I understand that you may -- I'll get to
21 your belief.

22 A. Right.

23 Q. But did the letter writer say that he was writing the
24 letter because of your stance regarding homosexuality?

25 A. Yes, yes.

State Objects: Hearsay; testimony is irrelevant even if not offered for the truth of the matter, unrelated to R-71.

1 Q. And when was that letter left?

2 A. We was -- that was two buildings ago, so --

3 Q. So it hasn't been since Referendum 71 --

4 A. No.

5 Q. -- was filed or --

6 A. That was before.

7 Q. -- been in any way connected to --

8 A. Right.

9 Q. -- that.

10 MR. MCBRAYER: I don't think I have any more
11 questions. Thank you.

12 THE WITNESS: Thank you.

13 You have any questions?

14 MS. EGELER: Mr. Dixson, do you have any questions?

15 MR. DIXSON: No, I'm good. Thank you.

16 MR. PIDGEON: Yeah, I have a number of questions.

17 THE WITNESS: Super.

18

19 EXAMINATION

20 BY MR. PIDGEON:

21 Q. Redacted, if you don't mind me calling you that --

22 A. Please, please.

23 [Off the record - discussion]

24 Q. (by Mr. Pidgeon) Let's start with the top: Marriage.

25 Is -- what is your understanding as to how marriage is

1 formed?

2 A. I think that the -- all the way back to the first
3 couple, and that was Adam and Eve. And I believe that
4 if you gonna do something, you do try to do it right the
5 first time. And I think that God thinks that marriage
6 between a man and a woman is the best way, because
7 that's how he started the whole relationship process of
8 starting families.

9 Q. So you see marriage as a God-ordained institution?

10 A. A hundred percent.

11 Q. And you say a hundred percent.

12 A. I agree that marriage is a God institution, 100 percent
13 belief that the Bible teaches that, and that's what I
14 stand on.

15 Q. What do you think about the State's position that
16 marriage is, in fact, a state-ordained institution?

17 A. Well, I think that it could be a state feeling, it could
18 be a national feeling, it could be a world feeling.
19 Doesn't override my belief in what the Bible says.

20 Q. Now, you've -- you said here just a few minutes ago that
21 you're the number one -- you've been tagged as the
22 number-one homophobe.

23 A. Definitely in the Northwest --

24 Q. In the Northwest.

25 A. -- and very close to the top nationwide.

1 Q. It's good to be number one. All right.

2 Now, let me ask you, what does homophobe mean?

3 A. I think it's not a word. You know, just like today
4 we've developed Islamophobe. I think it's a way to try
5 to intimidate. I think it's a word that's used to --
6 saying that you are prejudiced toward a certain group of
7 people, homosexuals; that you are fearful of
8 homosexuals; and that you have an agenda against them.
9 And I have none of those.

10 Q. So you would say that the term "homophobe," number one,
11 is not a real word?

12 A. Right.

13 Q. And number two, does not correctly label you.

14 A. Absolutely not.

15 Q. As to your understanding of what the definition is.

16 A. Right.

17 Q. Now, have you taken positions that are opposed to
18 abortion, for instance --

19 A. Yes.

20 Q. -- in the church?

21 Have you taken positions that are opposed to
22 frivolous divorce --

23 A. Yes.

24 Q. -- in the church?

25 A. Any divorce.

State Objects: irrelevant, unrelated to R-71.

1 Q. Any divorce.

2 A. Yes.

3 Q. Have you taken positions that are opposed to alcoholism
4 and drug abuse?

5 A. Absolutely.

6 Q. Now, when you have taken those positions, have you ever
7 been attacked or threatened by alcoholics, for instance?

8 A. No.

9 Q. Have you ever been attacked or threatened by any groups
10 representing divorcees?

11 A. No.

12 Q. Have you ever been attacked by pro-choice -- by the pro-
13 choice lobby?

14 A. No.

15 Q. Have you ever been sued by the pro-choice lobby?

16 A. No.

17 Q. Have you ever had protesters in front of your church
18 from the pro-choice lobby?

19 A. No.

20 Q. Have ever received a death threat from the pro-choice
21 lobby?

22 A. None.

23 Q. Have you ever received a death threat from the pro-
24 divorce lobby?

25 A. No.

State Objects: The witness's testimony is irrelevant, unrelated to R-71.

1 Q. How about from the pro-alcohol or drug-use lobby?

2 A. No.

3 Q. If there is such a thing.

4 A. Don't make news.

5 Q. How about Overeaters Anonymous? Did they ever --

6 A. None.

7 Q. -- they ever threaten you? Okay.

8 So would you say that 100 percent of the threats

9 that you have received have come from the homosexual

10 community?

11 A. Yes.

12 Q. And would you describe the homosexual community as
13 having a nature of bullying?

14 A. I would describe them as a group that is sold out to
15 what they believe as much as I am, and they're gonna do
16 what it takes to make that belief known and get it
17 passed for everyone to accept.

18 Q. Would you describe them as -- just generally speaking
19 now, if you were describing their reputation --

20 A. Mm-hm.

21 Q. -- to the community, would you describe this group of
22 homosexual activists as threatening?

23 A. Yes, I would.

24 Q. Menacing?

25 A. At times, yes. With the amount of threats I've gotten,

State Objects: Irrelevant

State Objects: Foundation;
Hearsay; Irrelevant; unrel R71

1 yes.

2 Q. Harassing?

3 A. Yes.

4 Q. Vicious?

5 A. At times, yes.

6 Q. Have you ever felt that you were being stalked by the
7 homosexual community?

8 A. With the amount of calls and the amount of letters and
9 the amount of articles, yeah, I do, very much so.

10 Q. Now, you indicated in your testimony that you have gates
11 around --

12 A. Mm-hm.

13 Q. -- your property?

14 A. Mm-hm.

15 Q. When did you --

16 A. I do.

17 Q. When did you put those gates up?

18 A. We probably put 'em up about five years ago, almost six.

19 Q. And you also have dogs?

20 A. I do. None of 'em are Christians.

21 Q. As they have -- are you trying to say that your dogs
22 have no sense of mercy?

23 A. They have no sense of forgiveness, yes.

24 Q. And the -- why did you put gates up and introduce dogs
25 to your property?

State Obj: Foundation .
Hearsay; Irrelevant; UR R71

State Obj: Foundation .
Hearsay; Irrelevant; UR R71

1 A. I've always, you know, had dogs. I mean, that's because
2 of just who I am, even in pro ball. I mean, you get
3 people that -- groupies and different things that, you
4 know, you just need protection. And then when the whole
5 issue started with the homosexual community and my
6 stands, and then I have -- a family and kids came about,
7 I go, we gotta do something more about security. And
8 that was the thing that we wanted to do, was, you know,
9 put the security gates and things up.

10 Q. So would you say that the gates and the extra security
11 measures were directly and proximately caused by the
12 threats you were getting from the homosexual community?

13 MS. EGELER: Objection --

14 MR. MCBRAYER: Objection --

15 MS. EGELER: -- leading the witness.

16 MR. MCBRAYER: -- yeah, leading.

17 Q. (by Mr. Pidgeon) Let me see if I can ask that in a
18 different way.

19 A. Okay.

20 Q. Apparently that question was over the top.

21 Did you place the gates around your property as a
22 result of the threats you were receiving from the
23 homosexual community?

24 A. That was the main purpose --

25 Q. Was that --

State Objects: Foundation . Hearsay;
Irrelevant, unrelated to R-71.

State Obj: Foundation .
Hearsay; Irrelevant, UR R71

1 A. -- why we put the --

2 Q. -- the main reason?

3 A. That was the main reason we put the gates up.

4 Q. And since you put the gates up, they've been fairly
5 effective to secure you?

6 A. Yes, they have.

7 Q. Now, is there such a thing as a bounty on you?

8 A. There was several over the years. I understand that it
9 got up to -- oh, my goodness -- if they could find some
10 dirt on me, I think it was -- went from up to 500,000,
11 like a half a million then, to up over a million. And,
12 you know, those are just the things I kept hearing from
13 people all over the U.S.

14 I had one buddy call me from Alabama and says, hey,
15 have you seen the new bounty they got on you? I go, no,
16 I try not to even deal with this. Well, you better deal
17 with this, you know, because they're trying to find dirt
18 on you and, you know, anyone could come up with that
19 kinda information have a million dollars. And that was
20 right before the situation took place with the head of
21 Evangelical Association, Ted Haggard.

22 Q. So is it your understanding that there is some kind of a
23 motive inside the homosexual community to scandalize or
24 to bring pastors down through scandal?

25 A. Oh, I -- it's been proven. We don't have to think.

State Obj: Lack of foundation; hearsay; irrelevant even if not offered for the truth of the matter, unrelated to R-71.

1 That is a proven fact.

2 Q. And so to your knowledge, there was a bounty for
3 somebody -- they were -- somebody inside the homosexual
4 community -- let me see if I can ask this question more
5 clearly.

6 Is it your understanding that somebody inside the
7 homosexual community was willing to pay up to a million
8 dollars to get information of sufficient scope to
9 scandalize you as a pastor?

10 A. Yes, that's what -- the information I had received.

11 Q. I want to go back and talk a little bit about the Day of
12 Silence --

13 A. Okay.

14 Q. -- at Redacted .

15 Now, let me ask you, is it your understanding
16 that -- how this Day of Silence works, that -- tell me
17 again what you think this Day of Silence was about.

18 A. Okay. Compared to the first year that we had to deal
19 with it and what they say it's for now has really
20 changed, because we just have put so much pressure on
21 the school about the day. Now they say it is about
22 protecting the kids that have been bullied because they
23 are homosexual. So I had asked the question --

24 Q. What was it before?

25 A. It was basically in support of the lifestyle.

State Obj: Foundation .
Hearsay; Irrelevant; UR R71

1 Q. So let me see if I get this right. So the Day of
2 Silence was that we were going to have a Day of Silence
3 here at this public school paid for with tax dollars
4 that is going to be anybody who is willing to say
5 they're in support --

6 A. Right.

7 Q. -- of the gay lifestyle doesn't say anything all day
8 long.

9 A. Right.

10 Q. Was that the agenda?

11 A. Right.

12 Q. So then can we assume that the contrary was true, that
13 anybody who spoke during that day would be considered a
14 homophobe?

15 A. Well, they were considered not in support of the
16 homosexual lifestyle.

17 Q. Do you know whether or not there was castigation or
18 otherwise a looking down upon those people who spoke
19 during the Day of Silence in the school?

20 A. I think it was -- you know, the kids -- like I said,
21 they had voted about what they thought the major issues
22 were at the school. Homosexuality wasn't mentioned,
23 homosexual bullying wasn't mentioned at any of the
24 out -- you know, the results of those surveys.

25 And so it was kinda like whoopee do to most of the

1 kids. I mean, it wasn't like, okay, you know, if you
2 don't -- if you decide to speak, boy, you know, you --
3 it's -- we gonna really get you, or, if you decide to
4 stay quiet, we really gonna get you. It -- there was --
5 well, whatever you wanna do that day, we gonna make it
6 through and move on. I think that was the attitude of
7 most of the students, because there was so many teachers
8 that was behind the support of the day.

9 Q. So the day was being supported and advocated by the
10 teachers --

11 A. Yes.

12 Q. -- at the school?

13 A. Yes.

14 Q. To your knowledge, was there any student movement behind
15 it whatsoever?

16 A. They said it was the GSA. And like I said, the more we
17 got into it and looking at it, you know, how can it be
18 the Gay-Straight Alliance when there was not even one
19 gay student at that first year that was in the Gay-
20 Straight Alliance? So that kinda was suspect to me, and
21 that's why my wife and I stood as strongly as we did.
22 And we just stood up as parents. I told 'em, I'd rather
23 get to know you as a parent, not as a pastor, and I'd
24 like to get this worked out between parent and teachers
25 in school than anything else.

1 Q. Now, did your daughters ever experience any form of
2 racism in this school?

3 A. My kids was great athletes, you know. [Redacted] and -- my
4 oldest, was, you know -- I mean, she's just -- she was
5 just a class act in volleyball. So that eliminated a
6 lotta those regular harassment. Some of the other
7 students got more harassed than she was simply because
8 of who she was.

9 [Redacted], my daughter, probably felt the most, the
10 second girl. It was a rough, rough year for her when
11 that teacher stood up, which was her favorite teacher.
12 She was in advanced placement for English literature,
13 and that advanced teacher was her teacher that stood up
14 and booed me. And then she had to go to school after
15 that and they was talking about me in the classroom.

16 So we ended up having to pull her out of school for
17 a week because she was so emotionally drained about what
18 was going on at the school and what was said at that
19 assembly. And she ended up taking that class from off
20 campus.

21 Q. So now, were you booed for your remarks about Martin
22 Luther King?

23 A. I was booed because I was a hypocrite, they said. How
24 can I be saying that I believe in equal rights when I
25 didn't want homosexual to have equal rights, which -- I

1 don't know where that came from.

2 Q. So you were booed by your daughter's teacher because of
3 your stance about homosexuality.

4 A. And we had agreed, when my daughter -- it was four years
5 after I'd spoken the first time, right? I'd spoken when
6 my first daughter was a freshman. She graduated. My
7 daughter ended up being a freshman -- a senior that
8 fourth year and she asked us to come back. Some of --
9 many of the students says, hey, we haven't had an
10 assembly like that since your dad was here. Could he
11 please come back to speak.

12 And I go -- you know, at that time, man, there was
13 really a great deal going on with the whole homosexual
14 issue, because we had dealt with Redacted and
15 everything else. And I said, are you sure they want me
16 to come and speak? And she said, yeah, we agreed. We
17 met with the GSA, we met with the teacher that was --
18 which was her advanced-placement teacher, and there was
19 nothing gonna be said or done about homosexuality. The
20 issue was gonna be Martin Luther King and what I went
21 through as a young man growing up in Alabama.

22 And the minute I stood up, I was booed.

23 Q. By the teacher.

24 A. By the teachers.

25 Q. So it's your testimony here today that your daughter's

1 AP English-literature teacher, a teacher at the public
2 school, at [Redacted] High School, targeted your daughter
3 in class because of your stand on homosexuality.

4 A. I don't think she -- I could say that she just targeted
5 my daughter. But having my daughter there and talking
6 about it, yeah, I think that was insensitive.

7 Q. Now, there's something in one of the newspaper articles
8 here that hasn't been brought up, which was one of the
9 events, I think, you participated in, which was a debate
10 with [Redacted].

11 A. Oh, the clash of the titans?

12 Q. Yeah, the clash of the titans.

13 A. Yep.

14 Q. Now, do you remember, how many pastors in the community
15 joined you during that debate?

16 A. It was just [Red] and I, was the only one that was onstage
17 that evening. The place was packed. There was standing
18 room only at the Center, I think it -- Seattle Center
19 there somewhere. What was the name of that? I wish I
20 could name the place it was held at.

21 And there was many pastors that was in the audience
22 and there was many supporters of [Red] and the homosexual
23 community that was there, and it was a fireball. We had
24 a lot -- we had to bring in a lot of protection in order
25 to do that, had a lot of security guards that was with

1 me, and so forth, so on.

2 Q. So since you began to be known for your stance in
3 support of traditional marriage --

4 A. Mm-hm.

5 Q. -- you have seen what we have described the homosexual
6 community do, including the placing of bounties. Now,
7 again, looking to the general reputation of that
8 community, your understanding of that community, do you
9 think they had become less bullying or less threatening
10 over the last year or two years?

11 MR. MCBRAYER: Objection; foundation. Asking for
12 an expert opinion.

13 MR. PIDGEON: I'm asking for a lay opinion and I'm
14 asking for reputation opinion.

15 MR. MCBRAYER: Objection to lack of foundation.

16 MR. PIDGEON: Okay, let's establish -- get some
17 foundation here.

18 Q. (by Mr. Pidgeon) Are you a member of this community?

19 A. I am.

20 Q. Do you have some idea of the reputation of the
21 homosexual community in the Christian world?

22 A. I do.

23 Q. Can you reflect on that reputation to tell us whether or
24 not, in your opinion, that -- the activism of the
25 homosexual community, has it waned, has it relaxed over

1 the last two years?

2 A. No.

3 Q. The tactics of the homosexual community to use threats
4 and some of the other things you've described earlier,
5 has that waned over the last two years?

6 A. No.

7 Q. Is it your expectation that if you were to publish an
8 article today on the issue of traditional marriage,
9 would you receive threats and phone calls? Is that your
10 expectation?

11 A. It --

12 MR. MCBRAYER: Objection; foundation.

13 Q. (by Mr. Pidgeon) Go ahead and answer the question.

14 A. Yes.

15 Q. You would --

16 A. I would.

17 Q. You would expect it -- to --

18 A. Yeah.

19 Q. -- receive threats?

20 A. We'll find out here real soon too if you want me to
21 prove it.

22 Q. So you haven't -- so it's your testimony you haven't
23 seen any shift towards, shall we say, niceness in the
24 homosexual community.

25 A. Not towards those activists that really are upset at

1 anyone that can say anything negative about the
2 homosexual lifestyle.

3 Q. Now, I want to go back to your petition signing. Do you
4 remember what number you were on the petition when you
5 signed?

6 A. I do not.

7 Q. Do you remember that the petition -- how many signatures
8 the petition would allow on the face of the petition?

9 A. No. I think it was about 50 a sheet. I'm not sure.

10 Q. So if you signed in the middle of that petition, is it
11 your expectation the people that signed before you would
12 have knowledge that you signed it?

13 A. No.

14 Q. So it's only going to be those people who signed after
15 you --

16 A. If they wanted to look, yeah.

17 Q. And only if they wanted to look.

18 A. Yeah. I don't -- I couldn't tell you the person that
19 was right in front of me.

20 Q. Did you look at any of the other names on --

21 A. No.

22 Q. -- the petition? Okay.

23 Did you know at the time that you signed the
24 petition that somebody in a group called whosigned.org
25 was going to ask the Secretary of State to give him a

1 computer file of all the names and addresses of
2 everybody who signed this petition?

3 A. Didn't even cross my mind. I didn't even think it was
4 legal.

5 Q. Did you know -- do you know how long the referendum and
6 initiative process has been going on in the state of
7 Washington?

8 A. Quite a while, yes.

9 Q. Do you know whether or not any Secretary of State prior
10 to Sam Reed has released the names and addresses of
11 petition signers for referendums and initiatives?

12 A. I have not heard of a one. That's why I was so
13 surprised when they was talking about releasing the
14 names of this one.

15 Q. Do you know whether or not any Attorney Generals in this
16 state have issued opinions on the Public Records Act
17 instructing the Secretary of State to not release the
18 names on petitions?

19 A. No. I mean, I'm very much in touch with all the states
20 with all the things I do, with all the Christian
21 leaders. I know every major leader that's a Christian
22 leader in the United States. All of 'em knows me. And
23 when things are happening legislatively that we need to
24 understand and need to let our people know, I'm one of
25 the first and the few that they will allow -- say, hey,

1 you need to be cognitive to this. And so no. I mean,
2 I'm -- this is brand-new to me.

3 Q. Now, in terms of the petitions, would you have -- if you
4 had had knowledge that anybody who signed the petition
5 for R-71 was going to be exposed to the exact same
6 experiences that you've had for your taking a position
7 on traditional marriage, would you recommend that they
8 sign the R-71 petition?

9 A. I would give them a warning that this is the possibility
10 of what can happen. You gonna have to make up your
11 mind. Me, because I've been in it for so long and have
12 had so many threats, I would have signed it anyway
13 simply because that is my responsibility as a voting
14 member of society.

15 Q. Do you know whether or not -- are you still holding your
16 Redacted stock?

17 A. No, I sold it.

18 Q. When did you sell it?

19 A. It's been about two years.

20 Q. Two years.

21 A. About two years now.

22 Q. And you --

23 A. At the last -- after the last stockholders' meeting when
24 I challenged them on their support after Proposition 8
25 passed, it was -- I think that was three years in a row

1 I had brought that up. And there was no more recourse
2 to deal with them as a stockholder because they had
3 voted it down every time to continue. And they would
4 not answer me on if it was anyone else that was making
5 those derogatory and racist statements, would [Redacted]
6 stand behind them. And [Redacted] and -- who's the
7 president now?

8 Q. [Redacted] ?

9 A. -- [Redacted] and the CFO, fellow from -- I believe,
10 I was able to challenge all of them at that meeting, and
11 they said that your recommendation was voted down. So
12 after that, you know, there was no need in trying to
13 continue to, you know, beat a dead horse. When the
14 horse is dead, the only thing that's left is to unsaddle
15 it.

16 Q. Did you make any money on the stock?

17 A. I got out at a good time, yeah.

18 MR. MCBRAYER: Amen.

19 Q. (by Mr. Pidgeon) Now, let me -- I got one last thing I
20 wanted to ask you about, the --

21 A. Sure.

22 Q. -- your knowledge on Proposition 8 in California.

23 A. Right.

24 Q. So tell me about -- do you know of -- do you have any
25 personal knowledge of incidents of violence, threats,

1 harassment, and so on in California?

2 A. Yes. One of the guys that is really close to me that
3 was really on the front line with Proposition 8 was
4 Redacted. He is -- was one of the old San Diego
5 Charger football players, and so we had known each other
6 for quite a while. And I had tried to get him -- tried
7 to hire him years ago to come up and work for me at the
8 church. But he wanted to be his own boss, so he started
9 his own church in San Diego.

10 And I remember one day when all this was going on
11 and I find out that's Miles involved with Proposition 8.
12 I better give him a call. So I called him to let him
13 know what to expect and this is gonna come and, if his
14 name gets out, these are the things you have to expect
15 as far as calls, as far as threats, and to understand
16 what you're getting into. And that was very helpful to
17 him because it kinda caught him on surprise down there,
18 the threats and the calls and the things that people
19 were saying to him.

20 Q. And do you know what kinds of threats he received?

21 A. Just some of the basic ones I got: You know, how can
22 you be against -- being black, how can you be against
23 the equal rights of homosexuals and, you know, you are a
24 homophobe, you're a hater, you don't respect the
25 homosexual lifestyle, and, you know, you better --

1 basically, he had to get bodyguards. So I guess they
2 was, you know, solid enough that he thought he'd better
3 get some bodyguards meeting at his church.

4 Q. Do you know of any other incidents that happened down
5 there?

6 A. Just what we heard from the guys who was telling what
7 was going on at rallies, the things that I saw and heard
8 on the radio and the television news. It got to be
9 pretty vicious, that fight. And the -- like I said, the
10 racial slurs and statements that was made from the black
11 community all the way from -- what's the actress's name?
12 Rosie O'Donnell? I mean, there was some harsh
13 statements made to the black community about supporting
14 Proposition 8.

15 Q. Did you have -- are you surprised with R-71 that we
16 didn't have as much violence in Washington as they had
17 in California?

18 MS. EGELER: Objection to the characterization.

19 MR. PIDGEON: I'll withdraw the question. Okay.

20 All right, I'm going to -- I'm finished with
21 that line of examination.

22 THE WITNESS: Thank you.

23 MR. PIDGEON: Thanks, Redacted.

24 THE WITNESS: Mm-hm.

25 MS. EGELER: I have a few more questions if you're

1 done.

2

3

FURTHER EXAMINATION

4 BY MS. EGELER:

5 Q. Pastor, you talked about taking positions on divorce.

6 A. Mm-hm.

7 Q. Have you spoken at rallies about divorce?

8 A. I've spoken about all the major issues. We even mention
9 those when we's dealing with some of the marriage,
10 because if you don't talk about support of marriage --
11 you gotta deal with every aspect of supporting marriage,
12 and one of the destroyers of marriage is divorce. And
13 so I've spoken about that many times.

14 Q. Have you spoken at any rallies about abortion?

15 A. Oh, yes.

16 Q. Can you tell me when those rallies were?

17 A. Oh, my goodness. I speak so many times, I wouldn't be
18 able to tell you specifically dates and those things.
19 But you can pretty well follow up on anything I speak
20 on. If I'm dealing with family issues, those are gonna
21 be some of the major issues I'm gonna deal with:
22 Divorce, abortion, gambling. I've done a great deal on
23 gambling. I've spoken totally against -- even down to
24 jealousy. I mean, it's -- if it's a Biblical issue, I'm
25 gonna speak on it.

1 Q. Can you tell me any rally that you spoke at about
2 abortion where abortion was the key issue at that rally?

3 A. I think it was -- oh, man -- maybe two, three years ago
4 when that -- those people were standing out in front of
5 churches with the pictures of aborted babies and the
6 fetuses that they were showing. And I was talking about
7 the insensitivity toward others that may have had an
8 abortion, that our job is not to condemn, but to help
9 them through the situation and realize don't do it
10 again. So I've always spoken about those major issues
11 like that, yes.

12 Q. So you've spoken about a more peaceful approach to the
13 debate about --

14 A. Right.

15 Q. -- abortion?

16 A. I'm -- you know, I'm just really surprised that, you
17 know, the only attacks I really have gotten is towards
18 when I stand up against the homosexual issue and stand
19 strong for traditional marriage.

20 Q. Are you the number-one antiabortion person in the
21 Northwest?

22 A. No. I'm not classified much of anything else outside of
23 number-one homophobe.

24 Q. And would you say that's because your positions and
25 appearance -- public appearances regarding same-sex

1 marriage and homosexuality, that's the predominant topic
2 that you've spoken about?

3 A. No, it's the predominant issue that they made outta
4 news. Okay?

5 Q. So --

6 A. The --

7 Q. -- would -- excuse me.

8 Would you --

9 A. Yeah.

10 Q. -- say that you have spoken about homosexuality and
11 marriage more than you have spoken about the issue of
12 abortion?

13 A. Over the years, probably the last four or five years,
14 I've spoken more about the issue of marriage than I have
15 anything else, simply because that has been the
16 forefront, mm-hm.

17 Q. And how much more? Would you say you've spoken ten
18 times more than --

19 A. Probably about ten times more, yeah.

20 Q. And --

21 A. But we're a lot hard -- I can say this to you
22 straightforward: We're a lot harsher on our members in
23 our church about divorce than we ever were on
24 homosexuality. We've kicked folks out of our church
25 because they've gotten divorced. Brought 'em before the

1 church, told the church what it was for, and told 'em to
2 remove fellowship and you have just lost your membership
3 in this church, bye.

4 Q. You said that you think that the media has run stories
5 more about your position on --

6 A. Yes.

7 Q. -- homosexuality than about your position on other
8 issues; is that right?

9 A. That's right.

10 Q. How much more, would you say? Ten times more, a hundred
11 times more? What --

12 A. I think --

13 Q. -- would you say?

14 A. -- it's definitely 20, 30, 40 percent more than it is
15 for homosexuality than with any other issue I stand on.

16 Q. Has the media run any stories about your position on
17 abortion?

18 A. I haven't read one.

19 Q. Has the media run any stories at all about your position
20 on drugs and alcohol?

21 A. No. And we have a drug-and-alcohol ministry at the
22 church.

23 Q. Has the media run any stories at all about your position
24 on isolated to divorce between a man and a woman?

25 A. Not really. If it's mentioned, it's so brief you

1 wouldn't be able to remember. And like I said, we're a
2 lot more -- we're a lot harder on divorce than we are
3 any issues on homosexuality.

4 Q. So in talking about the media, I'm talking about
5 radio --

6 A. Right.

7 Q. -- TV --

8 A. Right.

9 Q. -- Internet --

10 A. Right.

11 Q. -- print.

12 A. Right.

13 Q. So all of those media forms are focusing on your stance
14 with respect to homosexuality.

15 A. Right.

16 Q. You talked about bounties being placed on you, and I
17 wanted to make sure I understood what you meant by a
18 bounty. That was money that would be awarded to someone
19 for finding scandalous information about --

20 A. Right.

21 Q. -- you?

22 A. Same thing -- I think you remember the story of Ted
23 Haggard?

24 Q. I don't. Can you --

25 A. Okay.

1 Q. -- tell me.

2 A. Ted Haggard was the president of the Evangelical
3 Association, one of the most powerful Christian
4 organizations in the U.S., and they found out
5 information about him having a homosexual relationship.
6 And it destroyed him, the family, almost destroyed the
7 church, because they was able to take someone who was
8 supposed to be standing on His right side against
9 homosexuality and marriage and was participating in the
10 lifestyle.

11 And they didn't want me dead. I mean, that makes
12 me a martyr. But if they -- they know what the
13 Christian community's all about, and if you're
14 hypocritical, you have just destroyed your witness.

15 Q. Do you know who put these bounties out?

16 A. No. Never even research 'em. They just -- people will
17 call me and say, hey, bro, you better watch out who you
18 hang out with, who you travel with. That's why I never
19 travel alone. That's why I always have someone with me.
20 That's why I always have -- if it's -- you know, if I
21 can't have my wife, I'm gonna have one or two other guys
22 or something who's gonna be with me if I'm in a public
23 place.

24 Q. And these guys can attest to the fact that you aren't
25 out with women --

1 A. That's right.

2 Q. -- and behaving inappropriately or with men behaving
3 inappropriately.

4 A. Correct.

5 Q. And do you know, how long have these bounties been in
6 effect?

7 A. I don't know. It's been probably three, four years when
8 they first started. That's when -- all the issues with
9 the [Redacted], all the issues with [Redacted], those was big
10 things happening then, because it was national and
11 international news.

12 Q. You talked about a debate with [Redacted]. Was that a
13 debate about Referendum 71?

14 A. No, that was a debate about the homosexual lifestyle.

15 Q. Do you know what year that happened?

16 A. When was that clash of the titans? It was probably
17 right before we went to D.C. Is it in -- do you got
18 that article in the paper there, bro?

19 Q. And I think you talked about D.C. being maybe 2004; is
20 that right?

21 A. It was -- that was -- I wish -- they videotaped that and
22 it played for like two, three months afterwards on
23 public TV.

24 Q. So I'm looking at a newspaper, a Seattle Post-
25 Intelligencer, that you produced today and it's dated

1 March 3rd, 2006. And there's an, on the front page,
2 article entitled " [REDACTED]

3 [REDACTED]. "

4 A. Mm-hm.

5 Q. Does that refresh your recollection about --

6 A. Yes, mm-hm.

7 Q. -- when it would have happened?

8 A. Well, it had to be 2006, mm-hm. Like I said, this
9 happened three, four years ago, before, I know, he went
10 to D.C., so --

11 Q. You talked about security guards being there.

12 A. Oh, yeah.

13 Q. Were the police there as well?

14 A. If uniformed policemen was there, I didn't see 'em
15 because they kept me in a backroom most of the time
16 until they brought me out onstage, which was right
17 behind the stage where they kept us. It was all -- I
18 know I had all our security guards there and guys was
19 throughout the audience and right next to the stage. We
20 had 'em standing up in front of the stage.

21 Q. Was there any violence that day or evening?

22 A. No. No, it was -- we're really peaceful people.

23 Q. You've stated that you're very much in touch with
24 government events. Have you ever been notified before
25 an Attorney General opinion is issued?

1 A. Attorney General? No, I don't think that that is a
2 major issue. Most of the time I'm contacted, something
3 is going to Congress, something that is gonna be voted
4 on legislatively. They will inform me that we need to
5 crank up some abilities that let people know what's
6 going on and if we need to contact our congressmen or
7 our senators. So that's part of the network that I'm a
8 part of.

9 Q. Have you ever personally read any Attorney General
10 opinion?

11 A. No, not -- I don't think so. I think the only one is
12 this -- is the whole issue with health care with
13 McKenna.

14 Q. With Mr. Pidgeon you discussed the Christian community
15 and reaction to the homosexual community. Is the
16 Christian community all in the same position that you
17 are with respect to their stance --

18 A. No. I mean --

19 Q. -- on homosexuality?

20 A. No. I -- you probably will find a lotta differences in
21 many of the churches, pastors, denominations. I mean,
22 that's why we have denominations. We don't all agree.
23 But mostly evangelicals; we pretty well stand strong
24 together.

25 Q. And do you know any nonevangelical pastors, priests, or

1 rabbis who are supportive of homosexuals and same-sex
2 marriage?

3 A. Do I know of any that is?

4 Q. Yes.

5 A. Probably -- I don't -- you know, probably a large
6 percentage is. I know -- I would know more that was
7 against it than I would that was for it because of the
8 circle that I would spend my time.

9 Q. But you're aware that many Christian and Jewish leaders
10 are --

11 A. Oh, yeah.

12 Q. -- supportive of --

13 A. Oh, yeah. Yes, I am aware they're supportive of the
14 homosexual lifestyle.

15 Q. And I was just remembering one rally that I don't think
16 we talked about, but just wanted to get that on the
17 record. Did you speak at a rally about Referendum 71 at
18 the State Capitol?

19 A. Was that the one that we did on a Sunday afternoon?

20 Q. I don't know.

21 A. I think it was. I think it was -- I know we had a big
22 get-together down on the State Capitol. I was invited
23 to come down and speak.

24 I think the pastor that put that on was from the
25 Federal Way area Life Center. Oh, my goodness, why

1 can't I think of his name? You know who I'm talking
2 about, the big church down in Federal Way? I can't
3 believe I can't think of his name. If he knew I forgot
4 his name, he'd shoot me. [Redacted] . [Redacted] and
5 his wife, they wanted to make sure we stood -- have --
6 get together and make people stand. And I went down to
7 the Capitol and we met out there on the front steps.

8 MS. EGELER: Okay, that's it for my questions.

9 THE WITNESS: Okay.

10 MS. EGELER: Thank you.

11 THE WITNESS: Mm-hm.

12 MR. MCBRAYER: Nothing for me.

13 MS. EGELER: Steve Dixson, anything further?

14 MR. DIXSON: No, ma'am.

15
16 (Whereupon the deposition
17 concluded at 3:12 p.m.)
18
19
20
21
22
23
24
25

CERTIFICATE

STATE OF WASHINGTON)
)
COUNTY OF SNOHOMISH)

I, the undersigned Notary Public in and for the
State of Washington, do hereby certify:

That the foregoing is a full, true, and correct
transcript of the testimony of the witness named herein,
including all objections, motions, and exceptions;

That the witness before examination was by me duly
sworn to testify truthfully and that the transcript was made
available to the witness for reading and signing upon
completion of transcription, unless indicated herein that the
witness waived signature;

That I am not a relative or employee of any party
to this action or of any attorney or counsel for said action
and that I am not financially interested in the said action
or the outcome thereof;

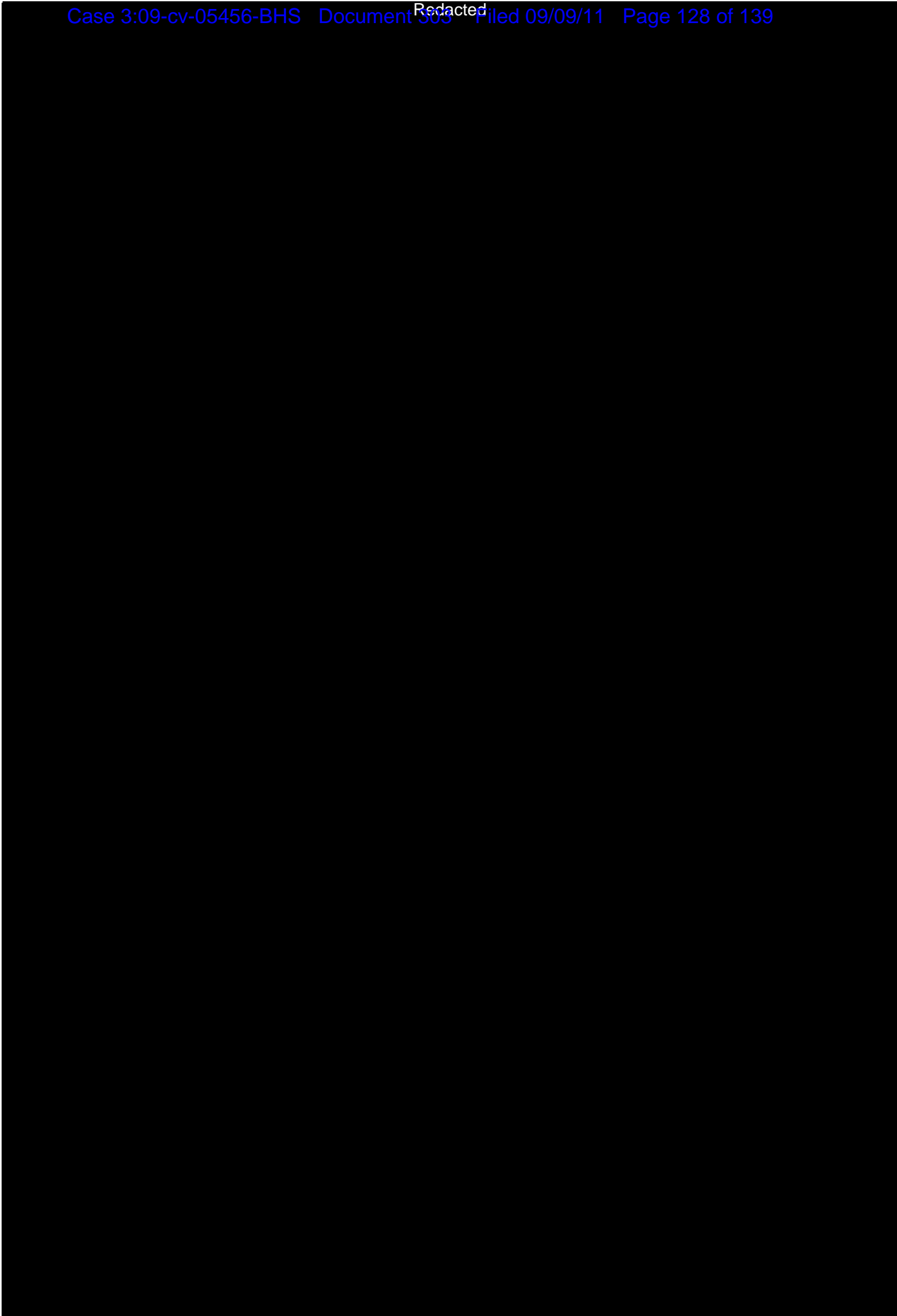
That I am sealing the original of this transcript
and promptly delivering the same to the ordering attorney.

IN WITNESS WHEREOF, I have hereunto set my hand and
seal this 7th day of October, 2010.

Notary Public in and for the State of Washington
residing at Edmonds, Washington.
(Notary expires 3/09/13)
(CCR No. 2699)

Exhibit One

Redacted



Redacted



Redacted



9/20/2010

Exhibit Two

Redacted

Redacted

Case 3:09-cv-05456-BHS Document 303 Filed 09/09/11 Page 135 of 139

Exhibit Three

Redacted

